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ALASKA OIL SPILL COMMISSION

July 14, 1989

Location: Seward

OIL SPILL COMMISSION MEMBERS

Walter B. Parker, Chairman

Esther C. Wunnicke, Vice-Chairman

Margaret J. Hayes

Michael J. Herz

John Sund

Timothy Wallis

Edward Wenk, Jr.

VOLUME II OF II

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1 there is an incredible amount of oil and mousse -- seeping
2 down into the substrate and the sand and gravel. Type A
3 cleanup, which is important, has not even begun to address
4 that. So when you see figures about how much has been
5 cleaned up, realize that probably less than five percent,
6 my guess is substantially less than five percent, has been
7 cleaned to-date. And over half the fuel season's gone.
8 Exxon's always said they're gonna be leaving around
9 September 15th. That gives us roughly nine weeks. Okay,
10 I assume that a week or two of that's gonna be
11 demobilization. That gives us maybe seven weeks. I
12 haven't seen any equipment in town. I'm told that it's
13 been identified. I'm told some of it's on its way, but
14 we're not sure when it's gonna get here. And we're looking
15 at seven weeks. This is a -- I have a real serious problem
16 with this cleanup. I -- it's not materializing. I wonder
17 -- deep down inside I think it's too late. It's too late
18 to hit all that could've been hit -- all I wanta see is a
19 real strong effort here at the end. But make no doubt
20 about it, we're not gonna be happy -- when I say we, I'm
21 talking as an Alaskan. Alaska's not gonna be happy with
22 the cleanup in the Seward zone.

23 MR. WALLIS: Well basically you're disagreeing with
23 the Coast Guard's assumption that they indicated this
25 morning that all beaches will be cleaned up by September

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1 15th.

2 MR. KUCINSKI: I am disagreeing with it adamantly. I
3 think it's a -- I think they're wrong. That's putting it
4 as mildly as possible. I think that hoping to keep future
5 spills down to a quarter million barrels or less, is --
6 inability to deal with reality. I think we're lucky this
7 one was only 11 million. It could've been a lot more.

8 MR. WALLIS: I'm sorry. I didn't mean to use the word
9 "cleanup", I meant treated.

10 MR. KUCINSKI: Okay, treatment. When -- again, this
11 is looking at a glass and saying half-empty, half-full.
12 When they say treated they may mean it amy be Type A
13 treated, but I'm telling you that that Type A treatment
14 probably address less than five percent of the oil on that
15 beach. So, do I think it's treated? No I don't. I think
16 there are beaches like Aialik Glacier Bay -- they've run
17 Type A across that thing several times, we'll probably --
18 we -- Exxon -- we'll have to do it several more times. The
19 oil on the beach at Aialik Glacier Bay hasn't been
20 addressed. So they may sign off on Type A cleanup, but the
21 oil hasn't been cleaned up. So, so no. I don't -- I'm
22 very confident -- I'm willing to bet imported beer -- it's
23 not going to be cleaned up by September 15th. Lots of it.

23 MR. WALLIS: Am I correct in that -- you indicated
25 that the MAC group had an agreement with Coast Guard and

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1 Exxon that they would sign off on the treated areas, and
2 you've only signed off on four beaches.

3 MS. KASTELINA: Well actually I think it's five.

4 MR. WALLIS: Five -- five areas.

5 MS. KASTELINA: Let's see there's Bear, Bulldog, No-
6 Name.....

7 MR. KUCINSKI: Bear, Bulldog, No-Name, Porcupine and
8 Beauty.

9 MS. KASTELINA:and beauty. Five.

10 MR. WALLIS: What is the MAC's group position on the
11 bacteria treatment, or have they taken one.

12 MS. KASTELINA: It's in the plan. The bioremediation.

13 MR. WALLIS: It is in there. Okay.

14 MS. KASTELINA: Yeah. It's -- it's an option that MAC
15 has -- MAC approved this morning, all of the options that
16 are listed in there for future -- in other words, MAC has
17 not said don't do this or don't do that, it's said try it,
18 or let's look at it, or let's go for it, or let's get on
19 with it.

20 MR. WALLIS: Thank you

21 MR. PARKER: Okay. Meg.

22 MS. HAYES: Mr. Kucinski, I have a couple of questions
23 now that we actually have a scientist captured at the
23 table.

25 MR. PARKER: (Indiscernible) a geologist too.

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1 MS. HAYES: Yeah. Have you been involved with any of
2 the -- have you looked at any of the research that's been
3 done about the methods, like this bioremediation thing.
4 Have you seen any of the results on things. Do you have
5 any advice about -- that you could share with us about the
6 success or failure of these under different conditions.

7 MR. KUCINSKI: No, frankly I haven't, if I could
8 address that further. Nor have I seen any Type B cleanup.
9 I -- the only place I've seen Type B cleanup's been on T.V.
10 like you. Okay. I feel that we've been in an information
11 shadow on Type B treatment technology, okay. The only --
12 the only things that've gone down are some tests in Tonsina
13 Bay I wasn't able to make it to. I understand they were a
14 failure. I've gotten a little bit of feedback on
15 bioremediation -- on peat treatments -- very, very little.
16 It would be nice from a scientific -- land steward point of
17 view to -- to at the very least read about a treatment, go
18 to an area and survey it and try to make a logical
19 determination as when we do in a environmental analysis or
20 a -- any other sort of environmental document -- to
21 determine what the effects, pro and con, and make a logical
22 decision. Time and information have not been available.
23 This has been sort of a crisis -- an emergency situation.
23 I don't feel I've been shown any information, to speak of,
25 on treatment technology. I think RMAC/MAC is -- we're

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1 running as fast as we can. I think we're dragging a mule,
2 frankly.

3 MS. HAYES: And also, are you involved at all in the
4 CIRCLA process, is the National Park Service involved with
5 that?

6 MR. KUCINSKI: Yes.

7 MS. HAYES: Are you personally familiar with that
8 process, could you explain that a little bit to us. We've
9 heard people discuss it, but we're not really sure
10 ourselves how it works.

11 MR. KUCINSKI: Ann, do you want to address that?

12 MS. HAYES: And who pays. Ed's question -- who pays.

13 MR. KUCINSKI: I don't claim to be a CIRCLA expert by
14 any stretch of the imagination and -- frankly I don't want
15 to give you any misinformation so perhaps it's better if I
16 decline to answer that.

17 MS. KASTELINA: That is something that we have had our
18 investigators handling, frankly. We have been..... Part
19 of the incident command team has been an investigative
20 branch, tort claims investigation branch, and they have
21 been handling all the information to go into some kind of
22 a claim. I'll be real honest with you, as Russ said, we
23 have not gotten very involved with that. Primarily because
23 we have so -- been so busy with other aspects of the spill.

25 MS. HAYES: Has your data that you collected,

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1 particularly your pre-incident surveys, been fed back into
2 that?

3 MS. KASTELINA: Yes, it's all -- it's all in the
4 package. And it's still continuing to be placed in -- we
5 have ongoing work with the investigation even now.

6 MS. WUNNICKE: Mr. Chairman I just have one question
7 to ask. Absent the visit from Admiral Yost and Secretary
8 Skinner, and given the fact that Katmai and Kenai Fjords
9 are national parks and of national interest, have you had
10 much national publicity as far as the cleanup is concerned
11 in this sector.

12 MS. KASTELINA: We've had flurries.

13 MS. WUNNICKE: Flurries.

14 MS. KASTELINA: We've had flurries of national
15 interest. This month the National Park and Conservation
16 Association has a cover story on the oil spill in which
17 both Kenai Fjords and Katmai are featured prominently.
18 We've had interest from other conservation agencies, also
19 from Associated Press, and several very large newspapers
20 around the country, and television networks. But it has
21 been sporadic. It has usually come on the anniversary of
22 like one month after the spill, or two months after the
23 spill, something like that. It has not been maintained.

23 MR. PARKER: John.

25 MR. SUND: Yeah Mr. Chairman. I just wanta reflect a

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1 little bit out loud here, I guess I'm -- this is, if I
2 recall, I think, the first set of witnesses this
3 committee's had from an official governmental body that has
4 expressed an extreme amount of distress with the stages of
5 cleanup. We've had private individuals, we've had some
6 people who were employed and now are not employed --
7 testifying and -- I think what it -- what it's reflecting
8 is something that all of us have kinda felt but nobody's
9 ever walked up to the table and said, hey, here's reality.
10 And I'm not quite sure what to do with it. It's nice to
11 know that your own concerns are confirmed, I guess, makes
12 you feel better sometimes. But I think I get a feeling of
13 a very sense of frustration here. And it goes back to, I
14 guess, a concept that I was thinking about of that the
15 public entities ought to control or have the management
16 structure to control the cleanup, giving work orders to the
17 private sector. And I got the feeling this morning that
18 that is what was happening in the Seward zone. I think I
19 even mentioned it at lunch -- that -- that I said, jeez,
20 you know, there's a concept that's really beginning to
21 work. And now I -- what I get back here is that the MAC
22 seems to be doing its work, but when it comes time to issue
23 the work order to order the private sector spiller to do
23 some work -- there isn't much happening. They're not
25 getting the reaction -- I -- maybe you could reflect on

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1 that. I don't -- not quite sure where that goes.

2 MS. KASTELINA: I think that perhaps you've cut
3 through the -- through to the heart of the problem. It is
4 very frustrating. The folks who have been sent down here
5 to work on the spill, the -- the Exxon employees and the
6 Coast Guard employees that we have worked with personally,
7 by and large have been, in the MAC meetings, very
8 facilitative. Unfortunately, it's not being translated
9 into field operations. That is where it is slowing down.
10 I am not sure where the -- we have discussed this endlessly
11 -- where the problem lies. Part of it may be the fact that
12 -- there does not seem to exist within the Exxon
13 organization the expertise to write a comprehensive,
14 technically-sound work order that addresses all of the
15 factors that we feel, as land management managers, need to
16 be addressed, and should be addressed. That may be part of
17 the problem Part of the problem that half the stuff that
18 does get written and passed on ends up having to go back
19 through Valdez before it can be translated into any kind of
20 action all the way over back here in Seward. So you have
21 a delay factor there. Part of it is with, I feel, a lack
22 of co -- a good-hearted attempt or a good-hearted approach
23 by the Exxon representatives, and a less than respon --
23 less than good response from their contractor. I think
25 there's a whole series of things that need to be taken into

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1 account and I don't want us to come across as saying, you
2 know, it's -- we've been doing our job and nobody else has.
3 Resource MAC and MAC have been doing it all and we've been
4 shunted aside. I think there are a lot of factors. It's
5 a very complicated issue. And we have to look at all sides
6 of that issue. People have tried hard but haven't
7 sometimes been able to do it for a variety of reasons.
8 Some of them are political, some of them are just lack of
9 expertise.

10 MR. SUND: Let me just make a comment here. You know,
11 Exxon has not shown a lack of willingness to spend money.
12 There's more oil money being spent in my community in
13 Ketchikan right now than ever has been spent in the history
14 of this state, other than through State government.
15 There's a 400-foot barge with a 300-ton crane on it, with
16 a helicopter pad, tied up to the shipyard getting 250
17 housing units put on board. Plumbers are working 18 hours
18 a day. Electricians are working 18 hours a day wiring
19 (indiscernible). There's a 200-foot ocean-going tug that's
20 been laying at the dock there for three weeks waiting to
21 tow this thing someplace. It probably won't be ready for
22 another couple weeks. It's gonna be end of the July, and
23 you will have an ocean-going capability for 250 beds. Now
23 I don't know what it's useful for. There's another 500-
25 bed unit being put together in Seattle that'll probably be

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1 ready in the middle of August. At the same time I come up
2 here, and I discover that there's apparently a lack of
3 money, or a lack of effort, to put a job order to put
4 people on the beach to clean this thing up. And they're
5 beginning to lay people off on the oil cleanup at the same
6 time they're building beds for 'em to sleep in Ketchikan.

7 MR. KUCINSKI: If I could address that. Exxon has
8 certainly spent money. They are very good at that.

9 MR. SUND: Okay they have (indiscernible -
10 simultaneous talking) yeah.

11 MR. KUCINSKI: They have certainly spent money. But
12 the money was spent with no economic incentive to clean up.
13 VECO has employed people, but their economic incentive is
14 not to clean as much oil as possible, it's to employ as
15 many people as possible. And if they go hide, you know, in
16 Three-Hole Bay, or go hide someplace out there, that's
17 fine. They're making as much money as if they were
18 working. Back to -- there should be an economic incentive
19 to this. As a private business person yourself, you don't
20 throw your money around do you? You spend it effectively.
21 Well, I certainly hope you do. If we gave commercial
22 fishermen a 24-hour open to gather oil, I bet they'd come
23 back with an amazing amount of oil, okay. Exxon is
23 spending money, they say they're doing the best they can
25 and again, I find this a little -- I find it very hard to

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1 believe. There's lots of people like myself, geologists -
2 - there's lots of biologists and archaeologists around, who
3 are dying to work on this sort of thing. There has to be
4 financial incentive to go collect the oil. And if you
5 don't have the financial incentive it develops its own
6 bureaucracy, okay. Exxon and Coast Guard developed their
7 own bureaucracy, the incentive is not to get the oil. The
8 incentive is to do my job, get through my rotation, make
9 sure the three-star guy doesn't sit on me, that sort of
10 thing. The economic incentive to get the oil isn't there.
11 I see that as a major problem. If there was economic
12 incentive to gather it, it would be gotten already. The
13 economic incentive isn't -- wasn't there two, three months
14 ago, it's not there today, it won't be there come September
15 15, and we'll still have oil.

16 MR. SUND: I was wondering if my perception was off-
17 base, but you put it very plainly. Thank you. Ann -- in
18 working out your problems who do you contact in Valdez to
19 try to make some headway on this.

20 MS. KASTELINA: I work strictly through the local
21 representative. I have never gone around that person.
22 With one exception. One time.

23 MR. SUND: So it's strictly.....

23 MS. KASTELINA: Chain of command.

25 MR. SUND: Yeah. Okay. Well that says a lot.

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1 UNIDENTIFIED SPEAKER: Were you successful?
2 MS. KASTELINA: Yes, I was.
3 MR. PARKER: Tim.
4 MR. WALLIS: Looking at your time chart here that you
5 have -- on your bird and otter rescue I see you have
6 resolved -- written on there. Are you -- are they still
7 collecting --.....
8 MS. KASTELINA: Yes they are. They're still in
9 operation and I think Ann's gonna want -- are you gonna
10 talk about bird and otter? Fish and Wildlife will talk
11 about that. When I say resolved that means they opened.
12 MR. WALLIS: Okay.
13 MS. KASTELINA: In that case they -- and that was the
14 -- that was the point there.
15 MR. WALLIS: How 'bout the slow Exxon response
16 problem. I see that's still unresolved.
17 MS. KASTELINA: That comes up periodically in the
18 meetings. What you see reflected in this list is from the
19 written minutes, and only if it was written down in the
20 minutes. And, of course, the minutes are only
21 extrapolations of the actual meetings. The highlights of
22 the actual meetings. If it was written down in the minutes
23 then I included it on here. In order to get a full
23 appreciation for what goes on in a MAC meeting, and some of
25 the information behind these various points, you'd have to

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1 listen to the audio tapes of each meeting.

2 MR. WALLIS: Thank you.

3 MR. PARKER: When you're dissatisfied with the
4 response from Exxon then how do you move through the
5 Federal establishment in trying to reach some resolution.
6 What's your steps there. Is it through the on-site
7 coordinator, how do you.....

8 MS. KASTELINA: It's through the Coast Guard. They
9 are the Federal representative for -- for the spill. And
10 other than that you get into the trustee business, which
11 for Interior, means Fish and Wildlife Service
12 representation. And they represent both Park Service and
13 Fish and Wildlife Service on the trustee board. And that
14 thing is just starting. That -- we don't get involved with
15 that on the local level down here. Thank goodness

16 MR. PARKER: John.

17 MR. SUND: Interesting question came up yesterday --
18 and this is a little off-base, but -- I guess it came up
19 like this. If intentional destruction of marine mammals or
20 wildlife in a park carries a fine, that I take it -- if I
21 shot an eagle or whatever you did out there it's -- I don't
22 know, is that felony or misdemeanor or..... Anyway, the
23 extrapolation, I'm sure, is that.....

23 MS. KASTELINA: It depends on the animal and the
25 circumstances. Yeah. And.....

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1 MR. SUND: Is there anything -- what's going on the -
2 - if you take the witness that testified of an illegal
3 disposition of oil on these beaches that's causing -- death
4 to the wildlife population. Is there any criminal
5 prosecution involved here?

6 MS. KASTELINA: That's something that the
7 investigation team and the solicitor is working on, I
8 believe. I'm not sure exactly -- I have not read through
9 all the documentation yet to be very honest with you. Have
10 you, Russ?

11 MR. KUCINSKI: No I haven't. It's ongoing though.

12 MS. KASTELINA: It's ongoing so I'm not sure how
13 they're going to approach it. For one -- it's going to be
14 extremely difficult, we all can appreciate that fact I
15 think, because one of the reasons these areas was set aside
16 was for aesthetic reasons, for reasons of the soul not
17 reasons of economy, not reasons of quantitative -- things
18 that can be quantified. And it's going to be extremely
19 difficult to put a price -- how do you put a price on -- on
20 an eagle's life. How do you put a price on a once-pristine
21 beach that no longer is and never will be again. That is
22 something I certainly don't want to rescue with -- or
23 wrestle -- you know, wrestle with.

23 MR. SUND: I just -- offer a note. I think there was
25 some baseline study work done, I think in 1970, 71 by NOAA,

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1 of the whole Gulf of Alaska -- that was done primarily by
2 Auke Bay Labs in Juneau. And my brother-in-law is a marine
3 biologist and he served on the -- I thought -- I call it
4 the greatest beachcombing expedition that ever was, but
5 they spent the whole sum -- two summers cruising -- just
6 helicoptering into beaches doing intertidal study work and
7 then cataloguing all of it in the winter, and I don't -- I
8 assume that's available down at Auke Bay Lab, and I don't
9 know if they hit any of the beaches in the Fjord or not.
10 But I know they went from Cape Spencer all the way to the
11 Pribilofs. So it's -- there is some baseline data out
12 there (indiscernible).

13 MS. KASTELINA: Uh huh. And we since then have
14 gathered a little bit more too. And that's being
15 incorporated into all of the assessments we're doing now.

16 MR. KUCINSKI: One of the problems with that data is
17 how current it is. A lot of these studies were done a long
18 time ago. So. If I could address the Commission on one
19 last point. I -- I kinda gather you're looking around for
20 level ground to -- prepare for the next incident -- oil
21 spill, should it occur. I'd like to encourage you to
22 embrace the NIMS process, the National Interagency Incident
23 Management System. Unless the State is prepared to handle
23 the spill themselves, it's gonna trigger NIMS and the
25 incident command system. And I would encourage you to read

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1 that document. It is -- was developed just for this sort
2 of thing, for national emergency where state and local
3 people will be helping but will not be able to handle it
4 themselves. It's a system whereby it triggers, you know,
5 the Federal Government and -- I just encourage you to
6 embrace that.

7 MS. WUNNICKE: One question, Mr. Chairman. You
8 mentioned that -- the contractor from Exxon and Exxon did
9 not have expertise for the beach cleanup. Does that
10 expertise exist elsewhere?

11 MR. KUCINSKI: Does it exist out -- I believe it
12 exists, yes. When you say expertise how -- what
13 specifically.....

14 MS. WUNNICKE: When you were -- and then you went on
15 to talk about incentive -- incentive to clean the beaches,
16 that there was no economic incentive.

17 MR. KUCINSKI: The -- I think, as you're aware, it's
18 Exxon that develops the work plans -- work orders, okay.
19 And they're approved by the Coast Guard. Yes, I believe
20 Exxon has more than enough expertise to develop a
21 comprehensive plan and its own work orders. Yes, I do
22 think they have that expertise.

23 MR. SUND: What inherently gives the right of the
23 spiller to develop the work order to cleanup public
25 property? Where does this -- the basis for the

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1 jurisdiction come from?

2 MR. KUCINSKI: The -- Exxon has developed an oil spill
3 document, okay, I'm sure you've seen. That is their
4 comprehensive cleanup plan of sorts. It's just too general
5 to be effective on a local basis.

6 MR. SUND: But where do they get the jurisdiction to
7 do that?

8 MR. KUCINSKI: I believe under CIRCLA, that the Coast
9 Guard is in charge of the cleanup and, again, the Coast
10 Guard by the Admiral's admission, cannot do it themselves.
11 And the only place they can go look is either to the
12 spiller or 311K or something of that nature, which is a
13 very difficult thing to do. In this situation we're
14 looking at the spiller cleaning up, and it has real
15 inherent problems. Again, no economi -- actually reverse
16 economic incentive to cleanup, frankly.

17 MS. HAYES: Just one more question. Is -- when should
18 we speak to about CIRCLA. Do you have any suggestions?

19 MS. KASTELINA: I can give you the name and number of
20 our chief investigator.

21 MS. HAYES: Why don't you give it to Marilyn.

22 MS. KASTELINA: Okay.

23 MR. PARKER: One last question from me. When Exxon
23 develops the work order do they coordinate with MAC before
25 giving it to the Coast Guard, or does it come for

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1 coordination after the Coast Guard receives it.

2 MS. KASTELINA: We get it -- MAC gets it, passes it on
3 to Resource MAC for review. And then it comes back to MAC
4 for approval. Have we approved any yet? Has MAC -- I
5 don't -- we turned down Terokan (ph) you -- and --.....

6 MR. KUCINSKI: Have we not approved any? Don't we.....

7 MS. KASTELINA: We've done some. We've approved some
8 (indiscernible).

9 MR. KUCINSKI: Yeah (indiscernible). We have not
10 recommended some.

11 MS. KASTELINA: We have not recommended some of the
12 work plans and others we have recommended as going ahead.

13 UNIDENTIFIED SPEAKER: Are we talking about work plans
14 or work orders?

15 MR. KUCINSKI: Work orders.

16 MS. KASTELINA: Work orders, yeah. Well, same. For
17 actually gettin' there and doin' it. Some have been
18 recommended, others have not.

19 MS. WUNNICKE: But the Coast Guard representative this
20 morning made the point that you were advisory to them.
21 When you did not recommend a work order did those proceed
22 despite your recommendation, or did -- were you ever
23 overruled by the (indiscernible -- simultaneous talking).

23 MS. KASTELINA: They're back in the hopper. They're
25 back in the hopper. Which means we may never see them.

/clf

1 MR. PARKER: Ed.

2 MR. WENK: Two quick questions. I know we're getting
3 short of time, but I think this would be of interest to us.
4 I sense both of you were willing to forecast that this
5 cleanup, using your criteria -- sorry, we won't use the
6 word "cleanup" -- the treatment, using your criteria, is
7 very unlikely to be completed by the date some other people
8 say it will be done. Would you be willing to climb out on
9 two other limbs with regard to forecasting. The first is
10 what are the consequences of that reality if indeed your
11 forecast is accurate. And, secondly, could you put those
12 consequences in both a short-term and a long-term
13 perspective.

14 MS. KASTELINA: I'm gonna defer to Russ 'cause I think
15 that's a scientific question.

16 MR. KUCINSKI: The -- I believe there are consequences
17 of that. I don't want to hide behind the scientific dogma
18 that it'll take more research to find out, but, in fact, it
19 will. I will say, as far as Kenai Fjords National Park is
20 concerned, okay, it's gonna be losing some of the pristine
21 natural beauty environment of the shoreline. And it's of
22 major concern to us. We have -- there are areas there of
23 beaches that have high visitor use by kayakers, campers,
23 fishermen, people of that nature -- just general tourists
25 that wanta see what pristine, beautiful nature looks like.

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1 And they come to Alaska to see it. And now we have less of
2 it to show. I can't tell you precisely how many less birds
3 or plants we're gonna have next year. I feel confident
4 that there will be less, there are less. I don't think
5 anyone, in their hear, could believe that there aren't less
6 right now. And we've had massive dialogues of things both
7 measurable and unmeasurable.

8 MR. PARKER: Any other questions. Thank you very
9 much. Who else is now -- is coming from the MAC group.

10 UNIDENTIFIED SPEAKER: DNR.

11 MR. PARKER: Okay.

12 MR. SINCLAIR: Good afternoon. My name is Jack
13 Sinclair. I'm with the -- normally I was with the
14 Department of Natural Resources, Division of Parks, as a
15 park ranger, but since April 3rd I've been representing the
16 Department of Natural Resources, Division of Lands, and
17 since then also being requested just from the DNR oil spill
18 office, to respond in the Seward zone to things. People
19 see me carrying a big box around most of the time because
20 you have a lot of questions you've been asking today, and
21 a lot of people say I don't really know. Sometimes I like
22 to have my box around 'cause it has a lot of stuff in it
23 that -- you -- we usually wanta dig out and answer. A lot
23 of people haven't been here from the start and they forget
25 what was said two months ago or what was said, you know, a

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1 week ago. It's important to bring those documents up and
2 wave 'em around again because we continue on with the
3 assumption we're discovering something new or something
4 new's being proposed, and it hasn't been. It's been
5 discussed over and over and over again. You had one
6 question about what makes the Coast Guard push the spiller
7 to respond to this oil spill. I would refer to the letter
8 of promulgation of June 5th from Admiral Robbins, where he
9 points out the National Oil and Hazardous Substances
10 Contingency Plan, 40CFR, Part 300, to insure adequate
11 actions are taken by the responsible party to recover the
12 oil or mitigate its effect. And that was his opening
13 letter in his shoreline treatment manual. And so on those
14 -- on that premise we continue to sit at the table and
15 continue to give them as much advice as we can and as best
16 we can give. I'm kind of ahead of what I wanted to talk
17 about, but I did come on April 3rd, like I was saying, for
18 DNR. April 19th I was requested by the MAC group to sit on
19 the Resource MAC group and respond back via liaison back to
20 the MAC group for the RMAC. And it was soon after I became
21 a member of the RMAC group that they asked me to be the
22 chairperson of that group. And in that seat I've been
23 their chairperson to help sometimes focus, coordinate and
23 just facilitate their energies into one -- voice that we
25 can bring back to the MAC group.

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1 I'd like to go down just a short chronology of some of
2 the major events I feel that have happened since the
3 spill's begun, and where we've been set back and where
4 we've -- where we've gained ground, possibly. And also
5 review some things that are -- where we're go -- how are
6 things going, what's good, what's bad and what's different.
7 May 25th was the first time we made an official request of
8 Exxon through the Coast Guard to create a work plans for
9 eight areas within the Seward zone. And we asked them with
10 a 10-day response to give us a plan back showing what they
11 would do. That was May 25th. On June 5th, which was about
12 10 days from then, they returned with a response which
13 covered only three of the areas that were in the eight.
14 And for those three areas they gave us the general three
15 types of treatment. The first treatment was called "no
16 action." The second treatment was called "tar accumulation
17 removal." Which means just remove everything and the
18 gravels included. And the third treatment was to stir it
19 up with a stick, so to speak, stir it up with any
20 mechanical means, to break it up into smaller pieces and
21 let the natural tidal action wash these back into the ocean
22 -- the oil. These three beaches were completely different
23 in nature, yet they classed them as similar. We felt it
23 was totally inadequate and threw it back, saying that this
25 was not going to work. And at that time they also said

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1 that other proposals were being planned. There was some
2 discussion that our proposal May 25th was really what was
3 pushing Valdez to consider other means of cleanup in the
4 outer coast area. I'm not sure if that's true. But it did
5 -- subsequently -- we did subsequently see the test at
6 Tonsina Bay occurring, and other things were being tried
7 on the outer coast. On June 12th Vice Admiral Robbins
8 visited with Exxon personnel, Bill Rainey (ph) from Valdez
9 and a slew of others from Coast Guard and Exxon, and we
10 flew on a very rainy day to several of the places that we
11 considered oiled in the Seward zone. One was Aialik
12 Glacier Beach and Aialik Bay and Burden Cover. One place
13 we did not go was the Pie Islands, which is what I would
14 consider probably the heaviest hit place in the Seward zone
15 and in desperate need of treatment. The mere -- I believe
16 that the mere -- neglect of not being able to get to the
17 Pie Islands.....

18 (Off Record - Change of Tape)

19 (On Record - Tape Number 89-07-14/4B)

20 MR. SINCLAIR:because the following day the Vice
21 Admiral met with us and, from all indications from that
22 meeting, there wasn't gonna be a great push for mechanical
23 means in the Seward zone. There didn't seem to be a very
23 great need for it. There were areas that they could walk
25 away from and leave. That created a large part of the work

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1 for us at that point. We -- we had to gain a lot of ground
2 back. And it wasn't until June 27th that we resolved this.
3 That was June 12th and it wasn't until June 27th that we
4 finally gained that ground back. I'll just jump back to
5 Secretary Skinner's visit on June 24th, where he visited
6 us, asked us what the problems would be and -- we told him
7 that, at that day -- it was exactly what Russel Kucinski
8 had said about nothing better than a number two shovel had
9 been used at that point, and here we are July 14th and we
10 still have the same situation. Admiral Yost had mentioned
11 at the end of that meeting that he was surprised that no
12 equipment had been deployed yet, as of June 24th. It was
13 on June 27th that we finally had a chance to fly out to the
14 Pie Island and Aialik Glacier Beach with good weather, not
15 raining, with NOAA supervisor John Robinson, Exxon incident
16 commander Gil Cannon (ph) for the Seward zone, and SCAT
17 (ph) coordinator Ed Owens. When they saw the Pie Islands
18 they finally said, now I see what you're talking about.
19 Oh, this is what you mean by oil. We didn't know. We
20 never knew this. We didn't know what you were calling
21 heavily oiled before. So we had spent a good part of this
22 oil spill already, telling Valdez what we had. Knowing
23 what we had. Oil in the Pie Islands. But no one was
23 either believing us -- no one was convinced that this oil
25 deserved attention with equipment, such as, you know, hot

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1 water sprays and booming and skimming -- no one was looking
2 at that. And with the Admiral's visit it created
3 complacency that we felt very uncomfortable with. And we
4 needed to push that back into the limelight again. And
5 with that visit we were able to -- I think cement some
6 plans, at least, to clean the Pie Islands, as well as the
7 Aialik Glacier Beach. They looked at that and they agreed
8 that, yes, this was -- this is oil. This is heavy and we
9 should be doing something about this. And that made us
10 feel like maybe we weren't credible at first, and maybe we
11 weren't being believed. When these units respond from the
12 outer coast to Valdez, oftentimes the response is -- you
13 really don't know what heavy oil is. You don't -- you're
14 not from the Prince William Sound, you haven't seen what we
15 have. That may be true, of course, but some of the areas
16 are just as intense from top to bottom. So there's a
17 little bit of problem of being convincing and credibility
18 here.

19 We're 111 days into the spill now, and we still have
20 plenty of promises and broken commitments. And we still
21 have a willingness of Exxon to sit at the table and to
22 listen to us. Whether it's taken in is still yet to be
23 seen, whether it's gonna be acted upon. And the Coast
23 Guard continues to act as the main player in directing
25 Exxon to do the work. But we still don't see any of the

/clf

1 major oil in the Seward zone being collected yet. And
2 that's been brought out again. Obviously, how is it going?
3 As you've been heard, it's slow. It's frustrating. No
4 equipment, no sizeable oil has been treated -- just
5 sorbents and shovels. One of the other problems --
6 deployment of equipment, creating work orders that show
7 techniques in detail -- Exxon following through on
8 commitments -- the lack of comprehensive planning -- to
9 actually detail this out. They're, obviously, approaching
10 that and it's only because we're trying to push for that.
11 We're asking for it. They wouldn't have never've gotten to
12 this point unless we ask them specifically. Secretary
13 Skinner asked us at the -- his meeting on the 24th, you're
14 gonna have to tell the Coast Guard and Exxon what you want,
15 where you want it. And I thought that was throwing the
16 ball in our lap, saying you create the plan because they're
17 not going to. That was clear enough. And I talked to a
18 lot of citizens who actually attended that meeting and they
19 gleaned the same thing. So, that's where we took it from
20 there. We created this comprehensive plan, we tried to do
21 our part at every step of the way.

22 One of the good points. Of course the MAC group is a
23 very excellent way of getting everyone to come to the table
24 and deal with a single meeting. I think that Exxon's
25 spirit of willingness to listen is excellent, as well as

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1 the Coast Guard, to provide excellent personnel in many
2 cases, and their SSC for NOAA has been here for a long
3 time, he's -- I must give credit to Stewart McGee (ph) for
4 his dedication to this oil spill. I have to credit Exxon
5 for rotating only two people in the same position through
6 this whole spill -- wherever they occur. So we never see
7 a new person every time they come on. At least, that's a
8 relief. Everybody needs a break. And I agree with them
9 that they need to rotate people out. At least they brought
10 people back on a rotating basis and not send somebody new
11 every time. I -- other good points; the original ICP,
12 Exxon's adopting of the ICP pro -- format, and their
13 provision of the incident action plan which comes out now
14 every time we have a MAC meeting, which is this document
15 here. And helps put away these -- general statements
16 saying we have, oh, 800 people. It's basically right here.
17 You know, I can turn to the document where they say how
18 many people are employed for Exxon. And you can see it.
19 They have Exxon, VECO, Northern Stevedoring, Martec (ph),
20 Crawford, Norcon -- everybody is outlined who they're
21 employed by. The bottom line is 523 people as of today.
22 VECO is 239. And they have how many vessels have been
23 cleaned. I have to credit Exxon for being able to do this.
23 And I see it's been done nowhere else -- in other areas, so
25 I have to credit them there. I also have to credit them

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1 with certain things they've already done in the Seward
2 area. You have to understand that they have carried out
3 work on Aialik Bay, phase I of cleanup there, by putting -
4 - loading 40 fish totes full of oiled gravels to be removed
5 or cleaned, and at this point they're gonna clean them --
6 I mean, haul them out. Driftwood Bay was another one of
7 our number of that -- that -- one of the eight areas in the
8 Seward zone we had identified on June -- on May 25th. And
9 they went in there and effected some cleanup, I guess
10 taking gravel out, although no agency was there to witness
11 it. They've also started work, of course, Morning Cove,
12 and at Aialik Glacier Beach. So I have to give them those
13 credits there so you'll know that actually work has started
14 in those areas, while as of today there's only one group
15 actually working, and that's in the Morning Cove area. And
16 I think for certain there could be more people working in
17 other areas. There's no incentive to get ahead of the
18 schedule, although previous schedules, as of the May 24th
19 Exxon cleanup plan, they said -- that they would have most
20 of all the cleanup done by August first. And then they
21 would have a whole month to reassess and even re-treat
22 areas. Well that's -- there've been many promises and many
23 plans made, and none have followed through.

23 You talked about who signs off on these beaches.
25 Actually it's -- they talk about a segment inspection

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1 record here, which is the Coast Guard and DEC signs, and
2 it's -- familiar with it if you've been in Valdez. There's
3 nowhere area on this, except if you want to use the back
4 page or somewhere on the margin, for any other agency to
5 sign. So we the State, obviously, are deferring to DEC and
6 I rightly agree that DEC is the person that should look for
7 oil and -- and I have no problem with that. But there is
8 no other area for any of the other agencies to sign. The
9 Coast Guard recognizes the State DEC as the on-site
10 coordinator for the State, and that's what this segment
11 record does. Eighteen of these segment records have been
12 submitted. But only, as Ann was saying, and Russ, that six
13 of them were actually treated and signed. The other, I
14 believe 12 -- the only reason they have them signed off is
15 because there was no oil observed, so it's easy to say
16 they're clean because there's no oil there anyhow. So --
17

18 MR. WENK: Are we ready for questions or would you
19 like to finish.

20 MR. SINCLAIR: Okay, I'm -- I have -- that's all I
21 have, except there's some things about ICP and things like
22 that you might wanta know. You know, State Forestry has
23 people who are trained in the ICP and there were some
23 questions asked at the beginning of the spill -- why wasn't
25 the State using some of their incident command people on

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1 the spill. If they've got people trained why not utilize
2 them. And, of course, two were apparently on our -- the IC
3 team here, and excellent ones they were. I would like to
4 see them more involved. I would like to see my -- more
5 people trained in it from the State, obviously. Excellent
6 program. And DNR -- from a DNR standpoint I recognize only
7 two field -- field divisions in DNR, and that would be
8 Forestry and Parks. And as the major land management
9 agency in Alaska I feel DNR should probably understand more
10 about field operations on a -- as a whole. And I hope that
11 we'll take a new tract in either unifying our field work -
12 - and creating more unity among that -- the divisions that
13 are exist now in DNR. And I know that both of you work
14 within -- have worked within the Department of Natural
15 Resources. You being the Commissioner, obviously. That's
16 all I have -- without further questions.

17 MS. WUNNICKE: (Indiscernible) just mentioned that
18 commissioners don't work, but that's not so. Thank you
19 very much. Did they clean up the Pie Islands after
20 acknowledging that they were heavily oiled, or what has
21 happened with the Pie Islands.

22 MR. SINCLAIR: That's a good -- okay, June -- after
23 June 27th, obviously, we agreed that they could now be
23 cleaned. They are heavily oiled. We've now christened
25 them oiled officially. And it wasn't until July -- well,

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1 here we are July 14th, three weeks later and we're now
2 mopping them up with sorbents and buckets and trowels. So
3 it's taken us three weeks to get to this point. And, of
4 course, there's been some promises of hot water flushing
5 and that could be another week, so it could be a month
6 after they finally discover this. Yeah, they haven't done
7 anything -- major.

8 MR. PARKER: Ed.

9 MR. WENK: I want to ~~th~~ank you and also the two
10 previous speakers, because I think you brought out a point
11 that I'd like to underscore in -- at sort of the highest
12 level of issue that is -- that I see on the table here.
13 And it's to say that the oil in the ground is a public
14 resource, but so is Kenai Fjords National Park and the
15 other natural areas of beauty in this area. These are also
16 public trusts. And if we're going to use cost-efficiency
17 criteria in making public decisions it seems to me we have
18 to ask some questions of whether you can, just like a
19 earlier speaker said with some feeling that I share,
20 whether you can put a dollar sign on all of these so that
21 you can make these trade-offs as though everything could be
22 measured in terms of economic cost. I think that this --
23 the whole event has pointed out that we do not all share
23 the same values in our society, and I think we have to
25 recognize that it takes a crisis of this kind to think

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1 through what our social priorities are going to be, and in
2 so doing think about the effect for future generations. I
3 simply cannot accept, and I'm speaking now in terms of my
4 own values, the notion that the cost-efficiency index that
5 is used by Exxon is the same as the cost-efficiency index
6 used by DNR or the National Park Service. And I think
7 we've gotta find a way to deal with this. Otherwise, just
8 like the force of gravity seems to be pretty ubiquitous,
9 there's another force at work in our society that tends to
10 equate things in terms of cost rather than value. Now
11 having made that little speech with apologies, my question
12 is this. You were -- you ended your comment about that
13 form calling for a sign-off from DEC -- you representing
14 DNR, as I understand. Is DEC down here?

15 MR. SINCLAIR: Yes they are.

16 MR. WENK: And they're part of the MAC team.

17 MR. SINCLAIR: You bet.

18 MR. WENK: When they recognize some of the problems
19 that have been identified here, do you feel that they are
20 in communication with their headquarters so as to rectify
21 some of the viscosity that's in the system? I hate to put
22 you on the spot, but we've heard about a big disparity
23 between objectives and achievement. A very frustrating
23 thing to you people down here. And if you're gonna have to
25 work through the grass roots up through your levels, I can

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1 see very well why some of these things don't happen, or if
2 they happen it's too late. You pointed this out yourself.
3 I don't know what access you have to your highest level in
4 DNR, but the reason I ask about DEC is because of your
5 point, and that is they have been identified as the State's
6 representative in this decision complex. And so my
7 question is whether the representatives of DEC at the
8 highest levels are being informed by DEC at this level of
9 what the situation is and to what effect?

10 MR. SINCLAIR: I have a lot of confidence in DEC here.
11 I work well with them. And I feel they've done a pretty
12 good job here. I can't say, from what you're asking there,
13 to criticize how they've been working at all. Their job is
14 to observe -- they are not the ones that push Exxon,
15 apparently. You're gonna have to ask more about -- of that
16 from DEC. I can't find a lot of fault with their
17 operations here. They try to do a good job of monitoring
18 it and feeding back information to us to help us set our
19 priorities to create these documents. And how much of
20 their requests goes to Valdez to Mr. Provant (ph), and how
21 much of that gets pushed along to a work phase here -- I
22 don't know how effective that part is. I believe that DEC
23 is -- has recognized the MAC and the RMAC here as the best
23 way to correspond with the -- with Exxon. And so they've
25 continued to work in that respect. If it was in a

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1 different situation, like as in Valdez, where everybody has
2 recognized that DEC is gonna be the main player and the
3 rest of them will consult together and then give their
4 words to the State DEC, and that'll continue on. It
5 doesn't apply here, I believe.

6 MR. WENK: Well, let me put the question in the
7 shortest possible way. People with - in bureaucracies use
8 terms like end-runs and backdoors. Are there any end-runs
9 possible here, or backdoors to get something done?

10 MR. SINCLAIR: I think there's definitely some
11 informal ways of getting things done and pushing things
12 toward a -- to an end quicker. But if things get done in
13 a big way without notifying anybody else, any of the other
14 players, I think there would be a lot of problems. And
15 that's where some of the biggest problems have occurred.
16 Where decisions have been made -- especially like with this
17 Admiral Robbins's visit out in the field. There were some
18 decisions made in the field that weren't brought back to
19 the table of the MAC group. And that sets us back, when
20 decisions and we feel like we aren't -- we're all not in
21 consulted and consensus. I may be missing your point
22 altogether, and you may be search -- are you searching for
23 an answer -- I don't know if I can give it.

23 MR. PARKER: Let me try to phrase it this way, Ed. If
25 the Governor's established the mini-cabinet as his

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1 coordinating body between the departments to oversee the
2 oil spill for him. Has it ever been made clear to you --
3 you know, what is between you and the mini-cabinet in the
4 oil spill apparatus on the State side, or do you have any
5 visual picture of what's between you and the mini-cabinet
6 in the way of -- either enhancing or blocking information
7 flow from you to them.

8 MR. SINCLAIR: I don't think it's a problem. I had a
9 problem with the Aialik Glacier Beach -- cleanup. I
10 believed -- I was convinced at a time that they were gonna
11 walk away from it after the Admiral's visit. And only
12 because they said they'd look at it again in August, and I
13 felt like, well you can look again in August but it's not
14 gonna change, and you can look at it again in September and
15 it's not gonna change. And I felt there was a need to
16 alert -- the State's -- is there any other pressures we can
17 make to bear that will make this come to be? Because I
18 don't wanta see us walk away from any (indiscernible).

19 MR. PARKER: So what did you -- who did you go through
20 to make that point?

21 MR. SINCLAIR: Well, I -- I make it at the MAC group
22 table, obviously. I can -- I show my concerns and I'll of
23 course relay it to the oil spill office in Anchorage and
23 let them know about that also. And those correspondents I
25 -- that correspondence itself, I believe, went a long ways.

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1 And a lot of people were alerted to that, and they're
2 saying well, play it for what you can -- you know, go as
3 far as you can with the MAC group 'cause that's your most
4 effective method right now. Go through the accepted
5 channels of getting things done because you have no other
6 choice right now. This is what we've accepted to go as -
7 - go -- do -- go the MAC. And --.....

8 MR. PARKER: The oil spill office in Anchorage -- the
9 one -- the oil spill coordinating office?

10 MR. SINCLAIR: Yeah. Bill Copeland's office. Yeah.
11 But -- you know, and -- 'cause no one said no, no one said
12 they were not gonna clean it, so there's no way to say that
13 it is a no. All I can say is these are fears and please be
14 aware of them, and if there's -- if I can make more people
15 aware that I have some concerns then maybe something will
16 happen. But as long as we're all deciding to work this way
17 as a MAC I will work above the table and I won't try to go
18 a lot of backdoor things for this. It's -- I think it's
19 counterproductive to show that you're -- you don't trust
20 anybody at the table. Even though that may exist in some
21 cases. It may -- but we -- as long as we're all gonna sit
22 at the table and agree to work this way, I'll continue to
23 do this way. And -- of course we all respond back to our
23 offices and tell them what we know.

25 MR. WENK: Excuse me, just a footnote. By my

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1 referring to end-runs and backdoors I didn't mean that you
2 should be disloyal to your colleagues on MAC. The question
3 is how to make that bureaucracy move.

4 MR. SINCLAIR: Uh huh.

5 MS. WUNNICKE: (Indiscernible) ask if I may, whether
6 you feel that you have this -- apart from your relationship
7 on the MAC group, do you feel that you have the support of
8 your own agency and that the other members of the MAC group
9 have the support of their agencies for your participation -
10 - away from other duties and -- in the oil spill?

11 MR. SINCLAIR: You have to recognize that I have two
12 roles here now. One is just the DNR, divisional lands,
13 permit oversight here. And it's the -- 'course the land-
14 use permit that Exxon now holds for cleanup. And it's just
15 merely holding to it and making sure that everybody has the
16 signatures. And if there was any role that they had to
17 call that would be the main role that DNR's had, is
18 permitting. But they've also elected me as the chairperson
19 of a research group, which puts me in a different light of
20 pointing out, as much as I can, of the other agencies'
21 concerns. And, as far as my own concerns about the lands,
22 I'm getting enough support. I may not be the main player
23 but I would like to make all the fears and concerns known
23 to the appropriate agencies. I know that the State was
25 slow to get things organized and to get some backup behind

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1 us. And fortunately have some people in the field in Homer
2 and Kodiak, and even Valdez, where we were able to set up
3 and hold the fort for as long as we can. And we were
4 hoping the agency would come behind us and fill in and hold
5 it with us. And I -- to a certain extent I feel that
6 that's happening. I'm not sure what the future holds --
7 for that. But as it stands right now, you know, DNR -- from
8 the standpoint of DNR -- have no -- no problems right now.

9 MR. PARKER: As chairman of the research group perhaps
10 you might have some perceptions on this. One of the
11 problems we're running into Valdez is that a great deal of
12 research seems to be undertaken -- without any system of
13 peer review that is normally applied to a scientific
14 research, and that a good deal of research, including State
15 research, is being held confidential at this time for legal
16 problems. Does -- do you have any perceptions on that or
17 does the problem exist here?

18 MR. SINCLAIR: Can you just rephrase it one more time
19 for me. I -- are you talking about --.....

20 MR. PARKER: Yeah. Of the research that's being
21 conducted here do you feel that there's adequate peer
22 review on the research that's being conducted here?

23 MR. SINCLAIR: I don't believe we've adequately
23 addressed that in our Resource MAC group. There -- we are
25 aware of each agency's need to do research. And I don't

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1 think I've even asked the question, is this information up
2 for grabs. Some seal studies, some things like that, bird
3 studies that are going on, some of it has been available in
4 the past and I believe it will be available in the future.

5 MR. PARKER: Well. The question -- you know, it's the
6 question under which it's taken, whether it's going to be
7 of a value in the future because it did go through some
8 kind of process that's accepted by the scientific
9 community. See we're spending -- Exxon identified for us
10 about 15 million that they're spending on research,
11 primarily in the Sound. They didn't break it down by
12 sector. We're going to have them do that. And the Fish
13 and Game is spending about 10 million, and there's probably
14 some other research moneys out there we haven't identified.
15 That's 25 million dollars. That's only four million
16 dollars less than the Federal Government spent on the Outer
17 Continental Shelf environmental assessment programs, a
18 great deal of research money. And I would hate to see it
19 all go down the drain because it was held confidential and
20 -- or simply not made available to the scientific community
21 in a timely fashion so it could be utilized.

22 MR. SINCLAIR: That's a question I'll have to find
23 out, and I can't give a (indiscernible - simultaneous
23 talking).

25 MR. PARKER: I just -- I just wanted to.....

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1 UNIDENTIFIED SPEAKER: (Indiscernible) that off you
2 say you wouldn't be thinking about (indiscernible).

3 MS. HAYES: Mr. Chairman, I guess I need a little
4 clarification. The research that you're doing is it
5 involved with CIRCLA?

6 MR. SINCLAIR: I'm not doing any research, obviously,
7 I'm just chairing a group that does research on their own
8 and actually I don't think our main emphasis is to cull
9 research there, but.....

10 MS. HAYES: Resource information? Is that what you're
11 trying to make available to MAC.

12 MR. SINCLAIR: Yeah. I think that we bring together
13 all our sightings of visi -- you know, visible oil
14 sightings the National Park Service is -- you know, ranges
15 out in the field, they've been bringing that information
16 back and we've been utilizing that to create the plans.
17 DEC also. And as well as use Fish and Wildlife Services -
18 - been out among their islands and bringing back
19 information. You know, the whole point is really carrying
20 out Exxon's commitment and giving them as much information
21 as we can. The research that is going on outside of this
22 oil sightings, there's other intertidal studies, wildlife
23 studies are going on. And that's not our main emphasis
23 right now. We're letting those appropriate agencies that
25 deal with those resource to continue their research.

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MS. HAYES: Do they interface with you?

MR. SINCLAIR: They don't interface right now with us. If -- at the beginning of this RMAC conception we talked about that -- interfacing information and making sure that each other's resources and research was available. And we have not been involved with that. Although we go around the table every meeting with an agency briefing and find out what kind of research is going on for each agency. So it's always brought up and it's always been mentioned, and whether somebody else wants to take advantage and say, may I have some -- can I get involved with your research, can I find out what you're doing, no one's really jumped on that. Each agency has their own concerns and no one has -- there hasn't been a tremendous need, except for where DEC needs to find out where the oil is, and they need to find out from the Park Service where they're finding it so they can go back and verify it -- and you might make these questions -- to (indiscernible) Fish and Wildlife Service and DEC as well, and find out how they work together at finding their oil. That's probably our biggest concern.

MR. PARKER: (Indiscernible) questions. Okay. Thank you. How many people wish to testify, I only have one signed up on the sheet and -- Margaret, okay. (Indiscernible) Good afternoon.

MR. LOCKWOOD: Good afternoon. I'm Doug Lockwood, I'm

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1 with DEC. I see John Sund laughed when I came up here.

2 MS. WUNNICKE: (Indiscernible) chairman never allows
3 us breaks. He's a mean chairman.

4 MR. LOCKWOOD: I see. On March 24th I got a call at -
5 - 1:30 in the morning from Bill Lamoreaux. My normal duty
6 station is the Kenai District Office. At 1:30 in the
7 morning he called and said -- there was a tanker on the
8 rocks, to mobilize and get to Valdez. I got there about
9 ten o'clock that morning and got involved in aerial open-
10 water mapping of the spill until April 6th. At that time
11 we started hearing a few things about Seward and --
12 particularly Seward -- and Homer. Dennis Kelso (ph) asked
13 me if I would come here and -- on April 7th I arrived here
14 to find a superbly organized MAC and a incident command
15 system in place. I became a member of the MAC group and
16 DEC, now we're 14 DEC people here, some doing fish
17 inspections and fishing boat inspections and others doing
18 shoreline treatment and oversight and shoreline/beach
19 surveys and assessments. We've also been involved in
20 permitting of wastewater discharges. We got very fortunate
21 here, you may have -- been fortunate enough to have visited
22 the otter rescue center or the bird facility here. We've
23 worked in -- early-on to cut the red tape as much as
23 possible to get those permits in place and also the
25 temporary oily waste storage at the industrial site. We've

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1 -- we're still involved in some overflights and what is now
2 -- still referred to as open-water mapping. There's not a
3 lot of movement of oil anymore but there still is some. I
4 think the -- Jack Sinclair with DNR has pointed out some of
5 the good points. I also would like to say that we've -- I
6 feel that the agencies, and the private sector and Exxon
7 have worked rather well together, particularly through this
8 MAC concept and the Resource MAC, which in other areas are
9 -- ISCCs. I think it is a very viable body. We've -- I
10 think the -- some of the problems we --that I've observed
11 go back to bureaucracy. We -- in our overflights -- even
12 as recent as a week ago, we have identified floating oil
13 sheens and mousse coming out of Prince William Sound and
14 Montague Strait. We -- I have a conference call with Steve
15 Provant (ph) three times a week now. At that time we had
16 the conference calls daily with the State on-scene
17 coordinator, usually Juneau, Anchorage and Seward, Homer
18 and Kodiak on the line. Time and time again I have facsed
19 overflight maps to Valdez and these maps show where there's
20 sheen, where there's mousse, and that coming out of Prince
21 William Sound was never addressed, at least I never
22 observed any cleanup in Montague Strait, and several times
23 -- I know that water can get a little rough at times, but
23 there were many times it was flat calm. We landed a float
25 plane in there several times and grabbed samples of some of

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1 the mousse.

2 MR. WENK: Excuse me, facts to DEC?

3 MR. LOCKWOOD: Yeah, DEC in Valdez. Right.

4 MR. PARKER: Was it your perception at that time there
5 was a cleanup capability available to get in there.

6 MR. LOCKWOOD: Yes. Most of the cleanup in Prince
7 William Sound -- although I hadn't been there along time,
8 seemed to have been in the Knight and Eleanor Island area,
9 and then, I know now they're at the north end of La Touche
10 Island which is right adjacent to the Montague Strait. We
11 -- we've been real concerned because this comes down and
12 ends up in our area, but never once in the last -- since
13 April 7th has there ever been any cleanup that I've
14 observed in that area. And also in Port Bainbridge (ph) we
15 reported it. Another disturbing problem -- dealing with
16 some of the other agencies, at one time we reported -- off
17 of Bainbridge (ph) Island in Port Bainbridge (ph) -- three
18 rather sizable areas of floating mousse. There was a NOAA
19 representative, Gary Petray (ph), I believe his name was,
20 that said it was vegetation. We went back and grabbed a
21 sample of it and showed him that it was mousse. So we were
22 looking at different things. And as this oil aged it did
23 collect vegetation and debris, and then we also saw various
23 (indiscernible) blooms and a number of things that we
25 couldn't identify. And pretty soon anything in the water

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1 was oil. Some people reporting -- we were very -- when we
2 were in doubt we tried to land and grab a sample. And we
3 felt that our surveillance, our intelligence, was very
4 accurate. But we did have some problems sitting at a table
5 and say, oh, no, that was vegetation that you saw. And I
6 think that kind of hindered some of the recovery efforts on
7 water.

8 Another thing -- in the Pie Islands quite some time
9 ago, the Exxon/VECO cleanup people were saying this mousse
10 is -- it's no -- it's not skimmable. And I agree, it
11 wasn't skimmable. It wasn't skimmable from the time it got
12 here. It was recoverable, and that's -- there is a
13 difference. One of the problems in the Pie Islands is that
14 we do have some mousse in there, at least last time I was
15 in there -- although it's on the ground, it was in some
16 areas, 18" deep. They had a mosquito fleet out there.
17 They were trying to get some of the mousse out of the
18 water, but once a month we'd have tides of around 13' high
19 tides -- here it is back out. And some of the areas were
20 real oiled and some of the areas were oiled for the first
21 time after these high tides. It looked like an exercise in
22 futility there for quite a while. I think that we -- I
23 think Exxon has a problem with their bureaucracy. I -- my
23 feeling has been just kind of a gut feeling that they were
25 really concerned with what was happening in Prince William

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1 Sound and thought that maybe once it left Prince William
2 Sound it would dissipate, or disappear. We -- I don't
3 believe Exxon, locally, has had the support of Exxon in
4 Valdez to -- they certainly have not had that support in
5 getting the proper equipment here. I will say that last -
6 - or this week -- a few days ago we had a meeting with
7 Exxon and they have assured us that there -- they have the
8 barges, the parts, the equipment, and they've identified
9 it, they've found it, it's in Valdez and they will be
10 sending that equipment to the Pie Islands and -- maybe as
11 early as next week. I think that's -- it's unfortunate
12 that it took so long to get here, but I don't blame Exxon
13 in Seward. These people've been real good to work with but
14 I think they have the same problem that a lot of us have.
15 They've got -- frequently bureaucracy gets in the way of
16 progress.

17 Other stumbling blocks I think that Exxon -- some of
18 there treatment people in Valdez have more-or-less poo-
19 pooped some of our ideas. For example, weed burners don't
20 work, no we don't wanta try that. No, it didn't work here.
21 Well, there are certain areas that -- I used -- I probably
22 burned two or three miles of gravel during the construction
23 of the pipeline and probably treated everything to diesel
23 to crude in the eight years that I was -- worked for DEC in
25 Valdez. There are certain areas that we need to be able to

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1 go in there and try some things that are very simple
2 without the hand of bureaucracy coming down and saying, no
3 that won't work, it's a waste of time. And in certain
4 areas I think the people that have been involved in Prince
5 William Sound treatment and cleanup have to realize that
6 it's different here. There's a different degree of oiling,
7 it's the consistency, the high paraffin/asphaltine
8 concentration of -- of what we've got out there. It's
9 different stuff and there are things here that we need to
10 do, and we -- sometimes I feel that we'd be a lot better
11 off if we could just go do the job.

12 MR. PARKER: When you say the treatment people in
13 Valdez, is that Al Mackey's (ph) group or who?

14 MR. LOCKWOOD: I don't know. The only people that I
15 have talked to, or kind of heard from, are under the
16 operations in Exxon that, you know -- and the only person
17 I know there is Bill Rainey (ph). But some of the people
18 that work in there have said certain things don't work and
19 we're not gonna try them. No reflection on the high cost
20 of things, it's just let's not do it.

21 MR. PARKER: Well, we've heard that from other areas
22 too, so it seems to be consistent.

23 MR. LOCKWOOD: Another problem that we had for quite
23 a long period of time was communications. Oh, this map's
25 out of place here, that center map should be on the end if

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1 we were to go from east to west -- we're 40, 45 minutes by
2 plane away from Nuka Island, the Pie Islands, and
3 frequently our weather's like this. We had three -- about
4 three weeks of wonderful weather here a couple -- it ended
5 a couple days ago, but prior to that, as most of you
6 probably know, it can get pretty stubborn around here. And
7 we had real problems dealing with -- finding out what was
8 going on 'cause we couldn't communicate with them. Well,
9 those problems have been somewhat solved now, and I
10 understand the State is gonna have some dynamic
11 communication system from Kodiak to Valdez, so maybe we'll
12 - with DNR and DEC and maybe Fish and Game, so maybe we'll
13 have something there. But for a long time the only.....

14 (Off Record - Change of Tape)

15 (On Record - Tape Number 89-07-14/5A)

16 MR. LOCKWOOD:single sideband and they had to do
17 that when the skip -- or when conditions were right in the
18 evening, so sometimes we knew what was going on and
19 sometimes we didn't. But now -- that's been taken care of.
20 A lot of these things -- have just taken a lot of time and
21 right now they're just coming into being and falling into
22 place. It's too bad we don't have another six months of
23 summer. Of course, maybe we will. Another problem that I
23 saw when I first got here was working for DEC we looked at
25 this as one spill. It happened in Prince William Sound, it

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1 was coming this way. At the -- on April 7th when I got
2 here, the Coast Guard, under Rainey Roucelle (ph) -- this
3 was a different -- considered a different spill. You know,
4 different district -- different captain, different spill.
5 He -- the Coast Guard had acquired some 84" sea -- high-
6 seas boom that Valdez woulda killed to've got their hands
7 on -- I don't know how the Coast Guard got it, but, you
8 know, there was this kind of fighting going on back and
9 forth and I felt like the State was kind of a single unit
10 here and the Coast Guard was -- you know, a couple
11 different groups here and treating two different spills.
12 That has, of course, corrected itself pretty much with the
13 appointment of the Admiral -- or Admiral Robbins has --
14 OSC, and now it's treated as one spill by the Coast Guard.
15 But that was a problem for a few weeks.

16 Other than that, I think that our assurance from Exxon
17 at this past meeting and some meetings that I've had with
18 the Coast Guard and with Exxon over the last couple days -
19 - my mood is one of optimism at this time. Guarded
20 optimism, but I am optimistic that Exxon will get the
21 equipment here and that we will get some treatment going in
22 the Pie Islands. I just hope that the weather's with us.
23 There's a lot of work to do down there.

23 MR. PARKER: Well, we sincerely hope your optimism is
25 not misplaced. Questions.

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1 MS. HAYES: Have you experienced -- you heard the kind
2 of questions we're asking Division of Parks. Have you
3 experienced difficulty within your own organization in
4 effecting changes that you think are needed in DEC?

5 MR. LOCKWOOD: With this -- new structure that DEC
6 has, it's about doubled the size of the department it
7 seems, and that's -- it's been very difficult. I'm a
8 permanent employee in a nonpermanent position right now,
9 and they're trying to work out some kind of an agreement so
10 I don't lose all my 16 years of benefits, and that sort of
11 thing, but -- there've been a lot of problems. There's
12 still some -- uncertainty as to what our water quality
13 monitoring program will be. We've got some people in
14 Valdez that are going out on a vessel and I've got a PC in
15 for a water quality person but I -- we still have some
16 questions that aren't answered. Is that person gonna work
17 here for me, or is that person gonna be out on the vessel.
18 You know, those kind of.....

19 MS. HAYES: Yeah. Do you work for Steve Prova (ph)?

20 MR. LOCKWOOD: Yeah. Yeah, he's.....

21 MS. HAYES: And if you need to access the mini-
22 cabinet about something, or alert them to something, do you
23 feel you have access -- means of doing that?

23 MR. LOCKWOOD: I think so.

25 MR. PARKER: Anyone else?

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1 MR. WALLIS: Just one quick question.

2 MR. PARKER: Tim.

3 MR. WALLIS: Have you noticed any apparent slowdown on
4 the cleanup?

5 MR. LOCKWOOD: The slowdown -- I think there was a
6 kind of a lull when we had a number of people on some
7 beaches. Although our zone ended down around, or above
8 Gore Point. There was a period of time when we had people
9 in Aialik Bay, Aialik Glacier Beach and now there's one
10 crew in Morning Cove. We -- yes, there has been.....

11 (Laughter)

12 MR. LOCKWOOD: I got up early this morning, too.

13 MR. WALLIS: Thank you.

14 (Laughter)

15 MR. LOCKWOOD: On the other hand, like I said, we did
16 have a pretty good meeting with Exxon and I suspect that
17 things are gonna speed up again.

18 MR. PARKER: Ed.

19 MR. WENK: You mentioned quite a few people as
20 associates here at DEC including some, I think, concerned
21 with fish, some concerned with hazards or treatment of and
22 rescue of wildlife, if I understood that correctly. We
23 heard at earlier hearings that the willingness of Exxon to
23 fund some of the wildlife rescue was a little bit slow to
25 come at the beginning because this didn't fit the neat

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1 categories of things that you ordinarily do with a cleanup.
2 But once it got going there seemed to be some satisfaction,
3 but the -- that was being curtailed sharply, if I remember
4 that testimony correctly. Do you have any comment on that?
5 Do you remember that?

6 MR. LOCKWOOD: Yeah. The U.S. Fish and Wildlife
7 Service is really the proper agency to ask that question
8 of. The only thing that I saw on April 7th was a number of
9 people were very interested in getting the otter center -
10 - rescue center going. We'd looked at several different
11 sites from, I think, the Army rec camp around to the
12 industrial site finally where it ended up. And we -- our
13 involvement in that was a wastewater discharge permit
14 involved only.

15 MR. WENK: Well -- I wonder who the question might be
16 addressed to.....

17 MR. PARKER: Fish and Wildlife are coming up.

18 MR. WENK: Oh, okay. Thank you.

19 MR. PARKER: Okay. Doug, were you at Kenai when
20 Glacier Bay occurred?

21 MR. LOCKWOOD: I got there right after it happened.
22 I'd been in Fairbanks running a placer mining program.

23 MR. PARKER: Okay, well.....

23 MR. PARKER: Remember those days.

25 MR. PARKER: Right after we'll try to find your

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1 predecessor there, but we'd talk to you later about that as
2 we pull together a record on that then. Thank you. Next
3 a MAC group member.

4 MS. RAPPAPORT: Good afternoon. I'm Ann Rappaport,
5 I'm with the U.S. Fish and Wildlife Service. I'm a
6 biologist from our Anchorage regional office and I've only
7 been in the Seward zone for two weeks now. However, I
8 spent the month of May in our Homer oil spill response
9 office and in between that assignment and this one I was
10 working in the regional office on our otter -- sea otter
11 rescue efforts. So I've been involved a little longer than
12 two weeks. I thought I'd give you some of the background
13 on what the Fish and Wildlife Service responsibilities are
14 in the spill, how we're organized, what we're doing
15 specifically here in the Seward area, and then get into
16 some of the problems we've been having, and also a couple
17 of good points.

18 The Fish and Wildlife Service is the Federal agency
19 that's responsible for migratory birds and sea otters which
20 have been affected by the spill, and also National Wildlife
21 Refuge lands. In response to the Exxon Valdez spill, the
22 Fish and Wildlife Service established four field offices
23 and had the overall coordination effort coming out of
23 Anchorage, the regional office there. The field offices
25 were set up in Seward and Valdez where we previously had no

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1 staff stationed, and then also Homer and Kodiak where we
2 have refuge headquarters. We have about six Fish and
3 Wildlife Service staff here in the Seward area working
4 directly on the spill. The Seward zone, as you know, goes
5 from Cape Puget to Petroff (ph) Point, which is across from
6 Nuka Island. And within this zone the Chiswell Islands and
7 the Pie Islands are National Wildlife Refuge lands, the
8 Alaska Maritime Refuge. Service activities in this zone
9 have included participating on the Multi-Agency Committee,
10 also on the Resource Multi-Agency Committee. We have been
11 overseeing operation of the Seward bird rehabilitation
12 center and of the Seward otter rescue center. We are
13 working on cataloging and storing all the dead birds and
14 sea otters that have been collected since the spill. We
15 manage the activities of a fleet of otter capture boats,
16 which are bringing otters in need of rehabilitation. We
17 also oversee a bird fleet which collects both dead birds
18 and also some of the dead otters, and they also capture
19 live birds that are in need of rehabilitation to bring back
20 to the center here.

21 Initially the otter capture fleet that operated out of
22 Seward had about six boats. Currently we have four boats
23 working between the Seward zone and the Homer zone. We're
23 really managing those two areas together on the otter
25 capture effort. The fleet was decreased as it was felt the

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1 capture need decreased. The bird rescue fleet originally
2 totalled about 26 boats. We now have 10 boats that are
3 doing capturing, one supply boat and one transport boat in
4 the Seward zone. Exxon does the contracting of these boats
5 and also the personnel. However, the regional director for
6 the Fish and Wildlife Service in Anchorage sets --
7 determines what the appropriate size of this fleet should
8 be. Currently at the bird center we're holding 31 birds.
9 This includes three eagles. And at the otter center we've
10 got 37 otters. As time has passed and some of the
11 rehabilitation efforts have -- there hasn't been as much
12 need for it -- Seward has still remained the primary
13 rehabilitation center for both birds and otters. We do
14 still have 65 otters at the original rescue center in
15 Valdez. And then we have over 90 otters which are at
16 Little Jackiloff (ph) Bay across from Homer. Those are
17 otters which were washed and rehabilitated here in Seward
18 and then as, you know, we felt they were healthy enough
19 they were transferred to a larger pen in a seawater lagoon
20 where there's natural inflow of tides. We also have here --
21 -- the 37 otters here. Within the Seward zone alone, we've
22 picked up over 2700 dead birds since the first days of the
23 spill, and there've been 111 dead sea otters. Cumulatively
23 within the entire impact zone, we've gotten over 28,000 --
25 -- or nearly 28,000 dead birds, nearly 900 sea otters, and

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1 about 100 eagles. The Service recently came out with a
2 release strategy for sea otters, and as part of that we
3 just implanted with some radio transmitters, several otters
4 at the Valdez facility -- that crew of veterinarians that
5 just came over here this afternoon and they're gonna put
6 some radio transmitters in some of the Seward otters.
7 We'll watch 'em for a few days, make sure they're okay,
8 then we're going to release them in the eastern part of
9 Prince William Sound in waters that were never oiled.
10 We're going to track them by radios for 20 days -- well,
11 we'll track them as long -- actually for a few years, but
12 for 20 days we're gonna really pay close attention to where
13 they're going and their health. And based on their
14 movements we'll decide about the releases of the other
15 otters we have in the centers.

16 As far as the cleanup goes, and Fish and Wildlife
17 lands, we've received work orders, which you have to do if
18 you're gonna do anything other than the gross or official
19 cleanup -- we've received work orders for only two beaches
20 on Refuge lands. That's Morning Cove, which has been
21 discussed already in the Pie Islands, and Roaring Cove,
22 another place in the Pie Islands. And, as also has
23 mentioned, the beach cleanup activities have centered on
23 Morning Cove -- actually two little beaches right in that
25 one cove, which -- I don't know if you want to have --

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1 point it out here. I think these maps are in the wrong
2 (indiscernible). This was over here, 'cause you got the
3 Chiswells, as I mentioned, which are lands -- are here
4 pretty close to Seward. The Pie Islands are here, and
5 Morning Cove is this one right here, and they're cleaning
6 back in there. So it's just been a real (indiscernible)
7 area.

8 The significant resources on the Pie Islands include
9 about 30,000 sea birds. Also there's a sea lion rookery on
10 Outer Island, one of the islands in the Pies. It's the
11 largest sea lion rookery on the south side of the Kenai
12 Peninsula. And it's particularly important because pupping
13 has been increasing in that rookery although the sea lion
14 population in general has been decreasing. Just this past
15 week our staff went out on a brief reconnaissance of Ragged
16 Island, the largest of the Pie Islands, by boat. We went
17 around it looking at the oiling and we noted at least six
18 other beaches that would require cleanup -- that could
19 require cleanup activities there. And of those only one of
20 the six is on the Exxon long-term schedule -- sort of the
21 summer's work schedule that they've given us. So five of
22 them haven't even been recognized. There was a SCAT
23 assessment some time ago, but there's a need to go back and
23 re-look at the area.

25 As far as the Chiswell Island goes, as I mentioned

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1 they're only 35 miles from Seward. They support about
2 73,000 sea birds. They're visited daily in the summer by
3 tour boats, and some of those same boats go into the
4 National Park Kenai Fjords. About 24,000 people each
5 summer visit the islands by boat. We're concerned about
6 the lack of a SCAT in the Seward zone to do the necessary
7 assessments, and we've been working with the RMAC and the
8 MAC to present a list of areas that the SCAT needs to
9 reassess and assess for the first times. There's just been
10 a little preliminary assessment of part of the Chiswells
11 to-date. And then we've also been working with the RMAC to
12 prioritize the beaches and come up with that big document
13 you got. That covers all those beaches in the Pies that I
14 mentioned.

15 As far as some of the problems here, there's been a
16 lot of good words and promises. It was mentioned this
17 meeting we had with Exxon earlier this week sounded really
18 good. And I won't be here next week but I hope to talk to
19 our person who is here then and hear that things are being
20 followed-through. The Exxon bureaucracy's been mentioned.
21 That's a problem I've seen here, and I also saw it when I
22 was in the Homer area. For example, I don't know if you've
23 seen any of these work orders, but on the Pie Islands -- I
23 mean, these aren't real detailed things. The SCAT goes out
25 and has a few pages of forms, they check off what fish and

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1 wildlife they see, archaeological concerns, the beach type,
2 you know, whether we're talking gravels or sands. They
3 come up with a form -- okay they're -- for Morning Cove,
4 the area where we're now doing cleaning, that assessment
5 occurred on May 20th. Okay, on May 31st they came up with
6 the recommended cleanup activities -- four lines here --
7 and they also mentioned priorities and any ecological or
8 archaeological constraints. That was signed-off on June
9 2nd by the State Historic Preservation Officer, so there
10 was no delay there. It was signed-off on by Exxon June
11 9th. Then it goes to Valdez where they come up with the
12 work order. Okay, we got the work order is.....

13 UNIDENTIFIED SPEAKER: Can I see that when you get
14 done?

15 MS. RAPPAPORT: Sure. And, as I said, that's dated
16 the 31st of May. The work order is dated the 29th of June.
17 The work order -- says, recommended cleanup activities, see
18 attached. Which is basically what I just gave you plus
19 there's a little cover sheet in here with three steps in
20 it. I mean, this is not a complicated report that comes
21 out of the process. And it basically says the same thing.
22 So that bureaucracy -- exists. And then there was a cover
23 sheet put on by the RMAC here with some minor modifications
23 of the plans. And it was signed-off on the next day by the
25 MAC here. And then that's what was implemented a week ago

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1 yesterday the Morning Cove cleanup started. And I also saw
2 that problem in Homer. We would get the SCAT assessments
3 and they were dated from six weeks before the date that the
4 shoreline committee in Homer would get 'em. And with the
5 monthly high-tide series, you've got a change in the oiling
6 often, from that time.

7 MS. WUNNICKE: May I ask that there is an Exxon
8 representative in Seward and an Exxon representative in
9 Homer, but they've not been given authority to sign-off on
10 the work order.

11 MS. RAPPAPORT: That's right. It all goes to Valdez
12 where it gets approved. So.....

13 MR. PARKER: That's a six-week cycle, generally,
14 or.....

15 MS. RAPPAPORT: Well, I guess this one was four weeks.
16 We had another work order that came through the other day,
17 it was six weeks, I noticed, between the date of the SCAT
18 and the date that the work order came out. And then as I
19 said, I saw the four to six weeks in Homer also. And it
20 seems like there's a need -- a real need for higher level
21 Exxon officials to be at the field offices like Seward and
22 Homer, and I assume maybe Kodiak, so we can get more
23 immediate responses. Something that's been real
23 encouraging here from the agency standpoint, is I feel that
25 I have a real immediate access to our regional director.

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1 Every day we have a conference call with our regional
2 office in Anchorage and the Seward, Valdez, Homer and
3 Kodiak representative, you know, such as myself, we're all
4 on the phone together at one time saying, what happened the
5 previous day, things that may be coming up, you know, if
6 something happens in the middle of the day I can call
7 Anchorage and get immediate feedback on what our position
8 should be. So -- and I've seen that with the other
9 agencies, too, this really good response (indiscernible -
10 simultaneous talking).

11 MR. WENK: (Indiscernible - simultaneous talking) the
12 Federal agencies -- and State.

13 MS. RAPPAPORT: Well, and State too. Right.

14 MR. WENK: But not Exxon.

15 MS. RAPPAPORT: But not Exxon. Yes. A recommendation
16 I might have here too is with the crew changes in Exxon.
17 They don't seem to have that much of an overlap and we seem
18 to lose some time in -- they get a crew change and it takes
19 a few days, of course, to get up to speed. And I
20 understand that. I came in here new two weeks ago and had
21 to learn things, but I had a two-day overlap with the
22 person, you know, who's been in the seat pretty much since
23 the beginning, to attend the meetings with him and sort of
23 get up to speed on the issues. Exxon's changes seem to be
25 a little more abrupt, so we lose some time. There seems to

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1 be some emphasis on signing beaches off, demobilizing 'em,
2 which in some ways seems like a paperwork exercise that
3 maybe we could do in the winter rather than now.

4 We're concerned about the limitations on the work
5 crew. Supposedly there'll be a peak force in Seward of 208
6 workers, and that includes the support. Last week when we
7 were given a schedule it showed there's about 1.5 support
8 workers for every on-ground worker, such as, you know, the
9 boat crew, cooks, you know. Those people are very
10 essential, but they're not part of the cleaning force.
11 Looking, though, at those reports that you were shown
12 earlier in the incident action plans as to how many workers
13 actually are here -- are in the field activities, I haven't
14 seen it over 100 in my two weeks here. The Service is
15 concerned about the inadequacy of the work plans as far as
16 not being real detailed, and also with the schedules and
17 the crew projections, it never seemed to match the real
18 work situation. This last week the report has shown that
19 there were 42 workers in the Morning Cove area. The Fish
20 and Wildlife Service has had an on-site monitor there since
21 work began a week ago yesterday. I called him during our
22 lunch break just to confirm what he'd been telling me
23 previously. He's been counting people, he goes on the
23 beach, he's there in that cove. It's not a big area, he
25 can see the whole thing. It started out with a work force

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1 of 18 people on the beach cleaning. The maximum -- it's
2 ranged between 18 and 26 in the last nine days. There was
3 one day when the crew hit 31 people. That was when the
4 Aialik Glacier crew finished at nearby Aialik Glacier, came
5 over and joined that -- the Morning Cove crew. But we're
6 not sure where the 42 people come from that has been
7 reported. And he -- the monitor said that, as far as from
8 the 31, why it's decreased since then. People quit. They
9 were rotated out or they were reassigned. And we were a
10 little concerned at today's MAC we were told that cleanup
11 will be going with the mechanical work back to Aialik
12 Glacier and they'll be pulling some of the Morning Cove
13 people off to work on that. So that's not gonna be very
14 helpful. I don't know if this is of interest to you, but
15 our monitor made a one-hour video of cleanup activities
16 there last Monday, and if you're interested we could get a
17 copy, it shows what the work actually looks like, and the
18 area actually looks like.

19 UNIDENTIFIED SPEAKER: Could we get a copy.

20 MS. RAPPAPORT: Okay. Logistics has been a key factor
21 in everything that's gone on. It seems like berthing has
22 been solved. At one time that was a problem. Equipment
23 has been limiting somewhat. Trowels weren't there the
23 first day on Morning Cove. We've been promised a hot water
25 wash and I really hope that next week that comes through.

/clf

1 We're a little concerned about some of the segmenting of
2 the different cleanup steps, where step one might be the
3 using the absorbents and wiping, and then step two you get
4 into the hot wash, or you start maybe moving some rocks
5 around, and there seems this real feeling of you gotta
6 finish one step before you can go on to another. And in
7 some cases it might be more efficient to just sort of grade
8 on in to 'em, or be doing two of the steps at once. It -
9 - as far as getting Exxon to move, and this relates to a
10 question you had a little earlier. It seems that sometimes
11 when the agencies have started to take things into their
12 own hands, things start moving. For example, the RMAC
13 started coming up with their own cleanup plan and their own
14 schedule two weeks ago. Exxon, a week later, promptly
15 followed, giving us a schedule. Which was great, we had
16 something to react to, we could ask questions. And even
17 though we're saying, well, that schedule's not quite
18 matching the real world situation, at least we've got
19 something to go from and now they're updating that weekly.
20 And that's wonderful.

21 Another thing, though, is with the otter center and
22 your question a little earlier. That was a case when the
23 beginning -- there was -- in, you saw in the form about how
23 many times it was brought up. There were problems getting
25 it off the ground. But the agencies, you know, Fish and

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1 Wildlife Service said, there's gotta be an otter center in
2 Seward. We need to be doing some of the washing there and
3 the need is there. And once it got going the support has
4 been good. Exxon has been supporting it now to the hilt.
5 That center is a model -- it's been built so that we can
6 warehouse it later someplace and it could be immediately
7 pulled out and set back up again if there's ever another
8 need for it. That also happened in Homer with the
9 Jackiloff (ph) facility, where Exxon was sort of dragging
10 their feet in the beginning and then the Borough came up
11 with the money to start funding the construction of the
12 Jackiloff (ph) facility. And so construction began and
13 then within a week or so Exxon came through and since then
14 has supported that facility wonderfully. But it's taken a
15 little pushing.

16 So as far as some of the good points go -- things like
17 now the support of the bird and otter center. Also I've --
18 - from what I've seen the continuity in personnel of Exxon
19 here in Seward, that's really good having just two crews
20 you go back and forth with. In Homer they haven't had
21 that, and so every three weeks it was a brand new crew, and
22 you really lose a lot with that. And also here in Seward
23 all the agencies are pretty much housed in one building,
23 except Park Service has their own building, and that really
25 helps. You can run downstairs and talk to Exxon, and can

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1 run next door and talk to the Coast Guard. Another really
2 good point has been the excellent coordination and working
3 relationships among the different agencies. I've seen that
4 both here and Homer. People have really put aside turf -
5 - I mean, we're -- you know, I'm responsible for making
6 sure the Pies and the Chiswells get noticed, sort of, and
7 the Park Service is gonna be responsible for their beaches,
8 but there isn't any fighting over my beach has to be
9 cleaned before your beach, or any of that. And that's just
10 been really good. The MAC and RMAC have been a real
11 cohesive group that has prioritizing beaches in the Seward
12 zone and presenting a consolidated recommendation.

13 So we've said to date there's been no mechanical
14 cleanup attempted on any beaches in the Seward zone. Okay,
15 and it's been nearly four months since the spill occurred.
16 We've got barely two months to go until the magic date of
17 September 15th when all cleanup efforts may stop. Given
18 the past records of logistics, equipment and personnel
19 problems, the prognosis for completing cleanup within the
20 desired time frame is rather bleak, unless we start to see
21 a real radical improvement and a real commitment to get
22 things done. I think -- if there's any questions.....

23 MR. PARKER: Okay, thank you. The -- just one brief
23 question I have on your magic date point. Is there any
25 environmental reason why cleanup could not consider past

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1 September 15th that you're aware of? I see head's shaking
2 from.....

3 MS. RAPPAPORT: And I will say Exxon has been saying
4 September 15th is a target, and they've said that they will
5 consider weather, etc. And all the agencies have been
6 taking it, sort of in our planning, that, well, about mid-
7 September. But if the weather's good we don't see any
8 reason.....

9 MR. PARKER: Well, we developed -- you know -- if we
10 explored and developed Prudhoe Bay largely in the winter,
11 and tanker operations don't cease from Valdez in the
12 winter, and we fish all winter. So probably winter cleanup
13 could at least be considered as a feasible alternative to
14 not having the beaches cleaned. Esther.

15 MS. WUNNICKE: Just a point of clarification I may
16 have misunderstood the figure. What did you say the
17 proportion of support personnel to people on the beaches
18 was?

19 MS. RAPPAPORT: Okay. This is based on what Exxon
20 told us when they gave us a schedule a week ago. They were
21 projecting that with this new berthing they got, they were
22 planning on going up to about 155 workers total, and of
23 that they said it would be -- no -- I take it back. They
23 said with the new berthing they would come up with 63
25 people who would be on the beaches cleaning, and 100 to 110

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1 support. So I just figured out that was about 1.5 per
2 worker.

3 MS. WUNNICKE: With that 1.5, and you said you've
4 never seen more than 100 at any one time on the beaches,
5 and say that.....

6 MS. RAPPAPORT: No, 100 in -- workers in the Seward
7 zone. On the beaches.....

8 MS. WUNNICKE: In the Seward zone. Okay.

9 MS. RAPPAPORT: On the beaches it's much less.
10 Morning Cove has been 18 to 26, with a maximum one day of
11 31.

12 MS. WUNNICKE: Then I guess my question probably is
13 not to you, but we were told this morning that there's five
14 hundred and some people involved in the Seward zone --
15

16 MS. RAPPAPORT: That's beyond the -- the support,
17 actually the support I was talking about meant for that
18 effort on the beach, the fact that you have your boat
19 captain, and the people are sleep -- the cooks. Just that,
20 yeah. The 523 is then including.....

21 MS. WUNNICKE: The transportation and all the other
22 support.

23 MS. RAPPAPORT: And the Exxon people in the office
23 here, and they've got their oil separation plant, and
25 everything. Otter center people, bird center people.

/clf

1 MS. WUNNICKE: Okay, thank you.

2 MR. PARKER: John.

3 MR. SUND: Is there any reason given for the lack of
4 mechanical cleanup. Because there's a lack of equipment
5 available. I mean, is there a rationale that comes back
6 when you say why hasn't this happened. Do they ever say,
7 we can't pull it off of the other beaches, or we don't have
8 enough, or what's the answer?

9 MS. RAPPAPORT: I guess I'm not -- I don't have quite
10 the full history on it here, but I think there's been --
11 that first you go in and try and get up the pools of oil
12 that you can wipe up and everything. And there just hasn't
13 been that commitment here.

14 MR. SUND: I mean we've went and watched, we've seen
15 maxi-barges and omni-barges and water flooding and.....

16 MS. RAPPAPORT: That's all in Prince William Sound.

17 MR. SUND: Oh yeah, it's a great show.

18 MS. RAPPAPORT: Yeah. I mean Homer just got, as I
19 understand, hot water wash a week or so ago, and that was
20 the first mechanical cleanup in.....

21 MR. PARKER: Anyone else? Go ahead.

22 MR. WALLIS: On your work orders. Do you have work
23 orders also?

23 MS. RAPPAPORT: No. See, the way the system is set up
25 it's the Exxon SCAT team that has to go out and do the

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1 assessment and decide what work needs to be done. And then
2 there's been that delay with them getting that to the RMAC
3 and the MAC who approve it -- or who give the
4 recommendation of whether to accept it. The Coast Guard is
5 the one who has to make -- go to Exxon and make it happen.
6 You know, the Coast Guard then takes the RMAC and MAC
7 recommendation and says, okay, these work -- these cleanup
8 activities are approved for a certain beach, and then it's
9 the Coast Guard's responsibility to get Exxon to do that.

10 MS. HAYES: Excuse me, just a point of clarification.
11 MAC in Seward zone. MAC goes with the SCAT team. Is that
12 right?

13 MS. RAPPAPORT: RMAC and the -- right. And that was
14 thought to help sort of cut a step out, or make sure that -
15 - you know, help the communication and understanding.

16 MR. WALLIS: You're responsible for the otters?

17 MS. RAPPAPORT: Correct. We have the oversight.

18 MR. WALLIS: The oversight on that. Who actually runs
19 the center (indiscernible).

20 MS. RAPPAPORT: The otter center has a director, Tom
21 McKloskey (ph) is the director there right now. He's --
22 and actually his boss is Randy Davis in Valdez, who sort of
23 has the overall oversight on both the Valdez and Seward
23 centers. And they are employed by Exxon.

25 MR. WALLIS: So they're Exxon employees.

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1 MS. RAPPAPORT: Right. But the Fish and Wildlife
2 Service sets the policy as far as, you know, where to go
3 and capture the otters that -- what otters need cleaning,
4 where the otters will be released, or how to handle that.

5 MR. WALLIS: (Indiscernible) main center itself, he
6 had nothing to do with the operation.

7 MS. RAPPAPORT: Not the day-to-day logistics.

8 MR. PARKER: Ed.

9 MR. WENK: My earlier question about the slow start,
10 which you responded to, and then peaking and so on, had
11 with it this concern that was expressed by some people
12 testifying, I think in Cordova, who were collecting otters
13 and birds, and not -- I mean live ones, but oiled. And
14 their comment was that the investment Exxon was making in
15 their exercise was based on a body-count. And when the
16 body-count started to fall they were pulled off, and in
17 fact the gentleman there who was sort of in charge of this,
18 I think, was fully dismissed. I realize that's a different
19 district, but have -- would you comment on that, please?

20 MS. RAPPAPORT: No that same -- that same issue has
21 come up here, and in fact I did one trip with the director
22 of the bird rehab center and the person who's the bird boat
23 coordinator, where we flew out and met with most of the
23 boats to try and clarify this because there was a lot of
25 confusion. And I think there was some concern about, were

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1 people going to lose their jobs out there capturing animals
2 because they weren't turning in enough. And we tried to
3 emphasize -- you know, we've sent out memos saying, you
4 know, your point is to get animals that need rehabilitating
5 not just bring in animals. And that the Service will make
6 a determination that there need to be fewer boats. We will
7 do it based on looking at what's coming in and the need for
8 the boats. And there's been a definite drop-off in finding
9 animals that need help.

10 MR. WENK: They didn't dispute the fact that the
11 number were dropping off. What they were concerned with
12 was that if they're demobilized completely, there will be
13 no capability when they think that for other physiological
14 reasons you're gonna have another cycle of otters and birds
15 that need rehabilitation. And that there then would be no
16 capability to -- enforce a rescue.

17 MS. RAPPAPORT: I see the -- your point that -- that's
18 not an issue now. I mean, we haven't reached the point
19 where we feel -- complete demobilization is -- is -- it's
20 time for that. And so that we're not at that point. And
21 we don't -- and, in fact, in Valdez I know they were
22 talking about that and the fact that -- I think there's
23 some local folks who -- there might be able to be sort of
23 an emergency capability if they end up eventually getting
25 (indiscernible - simultaneous talking).

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1 MR. WENK: Well I may have misunderstood. I'd -- what
2 I'd understood was that they were actually demobilized in
3 the Cordova area.

4 MS. RAPPAPORT: Well, actually Cordova doesn't -- I
5 didn't even know they had a capture effort out of Cordova.
6 We don't have an office.....

7 MR. WENK: No, but they're feeding the Valdez center.

8 MS. RAPPAPORT: I see. Okay.

9 MR. WENK: They're operating out of Cordova but they -
10 - but.....

11 MS. RAPPAPORT: Okay, right. The Valdez center would
12 do the whole Prince William Sound so they might have a boat
13 over there.

14 MR. WENK: And the man in charge of this --
15 colleagues, help me out on this.

16 MS. WUNNICKE: Weaverling.

17 MR. WENK: Weaverling.

18 MS. RAPPAPORT: I think I saw some comments in the
19 paper about that, right. I guess I don't know the
20 specifics of the Valdez situation, other than to say that
21 the Service has not totally closed off the effort there.
22 We -- I know we no longer have a specific boat dedicated to
23 otter capture in the Sound because there was -- we went
23 through a two-month period of not finding anything to
25 capture. However, we have some certified otter capturers

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1 who are located in Valdez. We have helicopters that are on
2 contract to us in Seward, and we have felt that if there's
3 a confirmed report we can respond to it.

4 MR. PARKER: Questions. Okay.

5 MR. WALLIS: On your number counts on your people
6 working and support and what not. Is the Department of
7 Labor involved in your MAC group?

8 MS. RAPPAPORT: The State?

9 MR. WALLIS: Yes.

10 MS. RAPPAPORT: I don't -- no, I don't believe there's
11 anybody from the Department of Labor.....

12 MR. WALLIS: Is there anybody from the Department of
13 Labor in Seward?

14 MS. RAPPAPORT: I don't know. Maybe somebody else
15 can.....

16 UNIDENTIFIED SPEAKER: (Indiscernible) right here.

17 MR. PARKER: Oh, that's right, yeah. Job Service is
18 here. Are you part of the MAC group.

19 UNIDENTIFIED SPEAKER: No. I (indiscernible) not part
20 of the MAC group, I don't report to the Admiral or anybody.
21 I just run my own shop. And -- I was gonna give you a
22 report (indiscernible) got through. If you can stand it.

23 MR. PARKER: Any other questions? Okay, thank you
23 very much. Is there any more MAC group.

25 MS. RAPPAPORT: No. That concludes the MAC

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1 presentation. Thank you very much for your attention.

2 MR. PARKER: Thank you. I'm sorry to have kept the
3 public presentations so long, but we're out here to get
4 information and with such a forthcoming MAC group with so
5 much to say, I certainly didn't want to limit the
6 information we were getting from them. The -- is Rita
7 Turner still here? You have a time problem still?

8 MS. TURNER: No I don't. I'm going to take the time
9 and I appreciate the opportunity to -- take your time also.
10 My name is Rita Turner. I've been a 15-year resident of
11 Alaska, 12 of which my home residence has been in Homer.
12 I've lived in Seward for the last year. I came to Seward
13 to attend classes at Avtec (ph) to get my marine license
14 through the Coast Guard and I also wanted to improve my
15 knowledge of marine -- involvement in the fisheries and the
16 environment itself. I have been -- I represent myself
17 only. I am not affiliated or representing any groups. I
18 hope that I represent the public at large that's quite
19 concerned with this problem and the response thereof. I
20 have fished. I also was the first employee and the first
21 program director of KBBI Public Radio, which went on-line
22 10 years ago as of this August 4th. I'm well aware of the
23 energy -- enormous energy of volunteers in the communities
23 compared with the energy lost through ineffectiveness of
25 mismanaged corporations. I hope that -- I would like to

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1 focus on productiveness -- we can derive from this
2 disaster. I don't know if it was one of you that was
3 quoted in the newspaper as using this as a tragic window of
4 opportunity. I have a few bits of information -- I'm a
5 collector of information. And I feel that we have a lot to
6 learn from this and I most appreciate this panel being
7 formed because there's hope here. There's hope for
8 improving the situation and there's hope from the public
9 side -- you being a non-partial organization to try to get
10 to the bottom of this.

11 This -- the occurrences that we've experienced are not
12 new. A book that my marine instructor loaned to me six
13 months ago was "Collisions and Their Causes." Only through
14 problems of this sort do we protect the future occurrences
15 of such. Pollution is not a problem -- this was written in
16 1966, it's disaster by default. It records each individual
17 community's fight against the mismanagement of our
18 resources and the mismanagement of public trust being
19 overridden by the name of free enterprise. Major changes
20 have come about through the world in traffic navigation
21 because of -- collisions. The rules of the road were
22 invented because of collisions of this sort. They improved
23 the code of regulations, Federal regulations. They also
23 improved the standards for which people are licensed to be
25 in charge of vessels at sea. They also have unified the

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1 world traffic, hopefully.

2 I have here a copy -- I also am quite concerned with
3 our helping our own government refocus the priorities of
4 our nation and the financial -- priorities, along with the
5 very concept of who we are defending ourselves from, or
6 what we are defending ourselves from. I think that -- I
7 don't have any problem with the defense budget. I just
8 want to see it redirected on where the defense needs to
9 occur. I have -- I think there needs to be a lot of
10 redefining that comes about from this. I was -- I think
11 that we need to help the government a lot, because -- and
12 I think that there's a lot of documentation here where
13 they're crying for our help.

14 I have here a copy of the May 1988 National Fisherman.
15 The National Fisherman is -- in interviewing Admiral Yost
16 of the Coast Guard, I happened to be working -- along with
17 living in Homer for 12 years, I have worked in Kodiak,
18 Dutch Harbor, and I have fished all the way from Seward to
19 Dutch Harbor. And I happened to be in Dutch Harbor during
20 the massive crackdown on zero tolerance that was financed
21 and -- the public pressure was the reason that they focused
22 so much attention on that. National Fisherman asked
23 Admiral Yost -- there's been a tremendous amount of
23 political interest in drug interdiction and illegal aliens.
25 And in a democracy, public interest often generates

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1 priorities. This was in the 1988 May issue. Further on,
2 National Fisherman is concerned with the money that we need
3 to redirect our Coast Guard to invest in monitoring foreign
4 fishing fleets and illegal fishing activities within our
5 own organization. Last year I was certified by Fish and
6 Game in Anchorage to become a crab observer. Part of the
7 observer program on the catcher/processor fleet, which our
8 own fleet has been illegally -- fishing undersized crab and
9 there's a devastation out there also. The Coast Guard need
10 to redirect its focus. Here National Fisherman ha -- and
11 also on search and rescue and defending our coasts. This
12 gets down to what the Coast Guard is really about.
13 National Fisherman asked the Coast Guard about their budget
14 cuts. I really think that this is a dramatic momentum for
15 us to redirect the budget focus of our Coast Guard.
16 National Fisherman asks, if Congress hasn't given you
17 enough money to carry out properly the many demands already
18 made of the Coast Guard, how can it expect you to enforce
19 Marpol (ph) restrictions on dumping at sea, and drunk-
20 boating regulations. Admiral Yost responds, we're doing
21 the best we can with what we have at the moment. But we're
22 not emphasizing the drunk-boating enforcement. It takes
23 training. And we don't have the money to do the training
23 right now or the ship-days to do it.

25 I'm a bartender, and many of the bars require their

/clf

1 bartenders to go through a course called Techniques of
2 Alcohol Management. Their insurances are reduced if we do
3 have that training. I think.....

4 (Off Record - Change of Tape)

5 (On Record - Tape Number 89-07-14/5B)

6 MS. TURNER:and my lack of training. Then I
7 think that there should be a certain amount of investment
8 by the Coast Guard in monitoring drunk operation of
9 vessels. I think that they need our help in redirecting
10 that focus. There needs to be a redefinition of national
11 security. I have been absorbed with the events since they
12 occurred on March 24th. I was glued to the television set
13 during the Congressional hearings. And I am very proud
14 that some people have changed so dramatically and so
15 quickly in such a short period of time. Senator Stevens
16 was emotionally stating in those Congressional hearings
17 that Exxon is affecting our national security. Stevens
18 stated that as a direct result of the enormous percentage
19 of our national population losing trust in Exxon's promises
20 and their lack of follow-through, then there's a lack of
21 trust of the very system that we're trying to protect. Who
22 are we trying to protect. National security involves the
23 security of the psyches, and the environment that we live
23 in. I think that a classic example of a community
25 responding to the potential disaster of this nature was the

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1 Homer community's response, both the government, civil
2 leaders and the entire population, and their immediate
3 action when it was discovered by -- it was discovered that
4 there had been shipments taken from either Anchorage or
5 somewhere above of PCB shipments while we were trying to
6 cleanup the PCB shipments. We were -- to clean them up we
7 had to send them outside because we have no disposal
8 facility. They were being shipped in winter, if I recall,
9 down the Kenai Peninsula road, they were being stored at
10 the end of the spit, and no one knew. Our fire department
11 didn't know, our police didn't know, we didn't know. There
12 could've been a disaster even more profound, on the world-
13 wide scale, than the pollution caused by this, if a PCB
14 shipment had been lost at sea. It was the citizens of that
15 community who cried out and demanded action that possibly
16 prevented a major -- long-term scale of death and the --
17 incredible -- outspread -- the end-result of this could be
18 a chain of ecosystem far reaching our coast. The whole
19 food chain of the planet could've been affected in a far
20 more -- far larger. The Homer community was especially
21 offended that this shipment had been sitting on the Homer
22 Spit and that we had no way of knowing if anything had
23 happened how to arrange ourselves, or -- it's different
23 than oil. This is a cancer-causing agent that very little
25 had been known about -- dealing with. While there's a few

/clf

1 other areas as you're investigating potential problems in
2 our future of this state that I'd like to bring up. While
3 attending classes at Avtec (ph) for my marine license,
4 there was a marine instructor -- Chris Vogle, that has also
5 taught through the fire-fighting school in Washington
6 State. It's a school specifically designed for marine fire-
7 fighting because you have four or five different elements -
8 - of fire hazards at sea, and you have no backup support.
9 You have to be aware that an electrical fire has to be
10 dealt with in a different way than a -- diesel fire. The
11 potential that Chris pointed out to us was the -- Nikiski
12 -- I believe it's Nikiski the location -- being so
13 different in its gas-loading system than the Boston
14 community's system. Boston has that shipment being loaded
15 far offshore from the population because if any accidents
16 occur at the shoreline in Nikiski there is a potential such
17 as a neutron bomb in its destruction. It's not a overall
18 pollution problem, it's absolutely a time-bomb about to go
19 off. I think that through this accident we should focus
20 some attention on -- is there a potential safety problem
21 there too. I think that it's unreasonable to stop the
22 production of our natural resources, but I think it is
23 reasonable to ask for risk-taking to be terminated.

23 I was very impressed -- within a two-month period I
25 boarded a Soviet research vessel which uses -- which

/clf

1 enables many -- scientists from all over the world to be
2 researching. I also was -- I also boarded the Soviet
3 skimmer while it was in town, and it was a travesty that it
4 was here too late to do what it's initially set up for. I
5 would hope that this will encourage us to develop something
6 of that nature -- maybe not that scale, but something with
7 that effectiveness to be housed in Alaska. I found that in
8 boarding both the Japanese vessel and the Soviet vessel I
9 had no problem getting on those vessels, but yet there was
10 a guard at the door of the VECO office when I tried to
11 enter that door. And I started wondering who is really
12 afraid of me? You know, I really started wondering. And
13 so, I also am quite concerned with the -- the emphasis on
14 finding funding immediately for the Institute of Marine
15 Science, for -- being more concerned with funding
16 organizations such as Avtec (ph) by the things they teach
17 people, such as me. I haven't gotten my Coast Guard
18 license yet. Avtec (ph) is funded by the people that come
19 out of that school whether they get their license or don't
20 get their license. I think that what I've learned through
21 there, if I never get my license, will help me be a more
22 prudent mariner on our planet. And I think that there has
23 to be an emphasis on education and utilizing the facilities
23 we have in this state already to -- inform people. I'm
25 concerned about this emphasis on economic compensation. I

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1 would -- remember that the natives were compensated by the
2 oil company development -- financially. And I still see
3 many problems occurring by this western invasion. I think
4 economic compensation cannot replace the destruction to our
5 social order. I think -- being a resident of Homer I am a
6 member of a community that has more effectiveness, perhaps,
7 in trying to cure its own problems than having some
8 psychiatrist from New York come in and try to help us. I
9 see an immense future here of social disorder and crime,
10 alcoholism. Many of my friends have already, rather than
11 face dealing with this anymore, have already turned to
12 alcoholism and it -- it's going to be a real big problem
13 this winter and the years to come. Child abuse and abuse
14 at home are going to be another -- homicide -- it's going
15 to be affecting the social factors as well as the
16 pollution. The cleanup is a mess. We all know that.
17 There's a big emphasis on numbers and people and boats, and
18 I've been many times about to be hired on boats that were
19 still at the dock two or three weeks while they were being
20 paid. The most recent experience was the -- Naveco (ph)
21 and the Gulf Maiden skipper wanted to put me on the Gulf
22 Maiden -- it's a vessel that's being prepared to be sent to
23 Nuka Bay, and its purpose will be to clean vessels. It has
23 been stalling in its progress to get out, and it's -- just
25 a classic example of the inertia that has continued.

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1 I think that one thing I'd like to point out right
2 here, is that I was only informed of this meeting by one of
3 the panel member's daughters telling me at Avtec (ph) that
4 it was occurring Friday. I think there's a large number of
5 the population that would be interested in having you come
6 back at a future date and several weeks of public
7 notification beforehand. I think to invite participants to
8 -- point out other factors that they've experienced will
9 help you in your formation.

10 My Seward residence is about -- is across the street
11 from this building and it's within a block of the otter
12 center and I was watching the otter center take a long time
13 on going on-line. And I really wasn't following the
14 particulars of that, but I know that Loretta Switt (ph),
15 the actress in the television series MASH, came up and --
16 I don't know if it was anonymously or not, but she made a
17 big splash in the media in Anchorage within a few days, and
18 before 24 hours was up -- about how it had been stalling on
19 going on-line -- and within 24 hours it was on-line. I
20 think that there's been an enormous acknowledgement that
21 the people take care of things that they love. And if
22 there was more involvement and control in the people that
23 are affected and love the things that we're trying to
23 repair or -- that there'd be a much bigger progress. I
25 think when you go down to Homer tomorrow you should allow,

/clf

1 even if it takes a longer meeting, them to let you know how
2 many things they've taken into their own hands, which have
3 created an improvement in fixing the system. I think that
4 if there wasn't that hope that there is an improvement,
5 you'd see a lot more destruction and anger being vented in
6 the wrong direction. The ultimately the outcome of the
7 legal determinations that -- occur from this will have an
8 impact on each individual's own reaction to society and the
9 law. Each person's own feelings towards pollution and --
10 is it a matter of win at any price, and cheat to win, or do
11 we try to deal with life fairly. I think that one of the
12 big increases in fishermen's own awareness of plastic
13 pollution at sea came about from awareness, not by laws.
14 I -- we used to be laughed at by hiding the garbage in my
15 stateroom, and now the fishermen are the very first to sort
16 out the garbage. It wasn't the law that changed them, it
17 was the awareness. And if we allowed the type of travesty
18 to continue by industry, then why should the little man
19 care. It -- it's a -- and especially the little man that -
20 - you know, wants to have hope.

21 I think we have to redirect our priorities immensely
22 on all angles. As Arthur C. Clark (ph) quoted in the
23 recent Omni Magazine, June Omni Magazine, the irony of the
23 first generation to be concerned about the future may not
25 have one to enjoy. I don't believe that this has been the

/clf

1 first generation to be concerned about the future. But I
2 think this has been the first time that the future has been
3 a potential non-existent entity. Dividing the public is a
4 method of conquering, and you'll find there's been much
5 divisions, both in the local public and in our public at
6 large. Many of my relatives and friends are writing me
7 from the Lower '48 saying that there's a big public
8 relations campaign on emphasizing how much we Alaskans are
9 making economically off of this oil spill. They -- there's
10 an enormous desire for them to stand with us on this issue,
11 but if Exxon or the media, whoever's at fault is
12 exaggerating the reward and diminishing the psychological
13 price -- I myself am barely hanging onto my own mental
14 facilities because of my -- the incredible, enormous shock
15 of this is -- affecting my life and it will continue. The
16 lesson of (indiscernible) the long-range and all-
17 encompassing, was dramatic. I think that we have to regain
18 trust, and the public is thirsty for the truth and you
19 folks are a very encouraging avenue for us to find it.
20 Trust can only be gained through the truth. And let's not
21 misplace this advantage for the momentum. The diversity of
22 your backgrounds and the existence of your Commission has
23 helped the citizens, such as myself, find hope. I find
23 irony in placing trust in a management and authority, and
25 including the hiring personnel in the hands of this system

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1 that caused the disaster.

2 MR. PARKER: Well, thank you -- Miss -- Turner
3 and.....

4 MS. TURNER: Yes, I think that that concludes my
5 thoughts and I -- I do hope that you will give advance
6 warning, and also if there are notifications of ways that
7 people can keep sending information to you.

8 MR. PARKER: I think you've done a magnificent job of
9 -- bringing up the issue from all angles. Do you have any
10 questions, commissioners?

11 UNIDENTIFIED SPEAKER: Just thank you for a very
12 articulate statement.

13 MS. TURNER: Thank you very much.

14 MR. PARKER: Margaret Brenson (ph). Margaret is the
15 former representative from this district to the Alaska
16 Legislature, among her many other accomplishments. What
17 are you doing now, Margaret?

18 MS. BRENSON (ph): Well, I'm here today -- I've got
19 two hats on today. I'm the manager of the Alaska
20 Department of Labor Job Service, and I'm also the President
21 of the Cook Inlet Aquaculture Association and I wanta give
22 you a brief (indiscernible) on both of 'em. You've been
23 very patient and I will try to get you outa here.....

23 MR. PARKER: When are you gonna slow down? Holy
25 mackerel.

/clf

1 MS. BRENSON (ph): Well, you know. Same -- when you
2 do. I just thought you might be interested to -- today I
3 checked with VECO and we keep a constant running tally on
4 their employees. They've had 625 hires, all of which came
5 through the Department of Labor Job Service. They've
6 transferred 14, they've terminated 198. They have 131 on
7 standby, which means that they have 428 on the payroll.
8 However, if you're on standby you're not exactly on the
9 payroll, you're not getting paid. So they have about 297
10 that they figure that are regular workers. That includes
11 boat operators, people working on boats. As you know, VECO
12 has two -- is a double-breasting company. They have Norcon
13 and they've sorta divided the labor between Norcon on the
14 beach and VECO on the water. Norcon has hired through
15 Laborers 341, and they hired about 130, 140, and I think
16 the last time I talked to them they said they had something
17 like 50 or 60 on standby. So we have, through the Job
18 Service, probably processed or gotten -- shall we say,
19 worked with about 1500 people. However, there've not been
20 that many hired and there are not that many people -- new
21 people -- in the community. Almost everybody in Seward who
22 wanted a job has got a job. I think our total claims this
23 week were five people who are on unemployment and three or
23 four of those go to Avtec (ph), so.....

25 MR. PARKER: That must be a new low, isn't it?

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1 MS. BRENSON (ph): Oh, yeah, that's a new low. We've
2 never had it quite that (indiscernible). Our job -- our
3 hiring has increased 150% as of the first of -- the 30th of
4 June, over last year. And -- the -- Exxon has a community
5 liaison officer who is working to get jobs, or get
6 employees for people who can't find employees through our
7 office and other agencies. However, the shortages that
8 we're seeing are not totally oil oriented. They were
9 starting last year. The service industries all over the
10 United States are having trouble getting people and so,
11 while it's exaggerated by the oil -- it's not totally
12 responsible. Now I would like to move on to the Cook Inlet
13 Aquaculture Association. It represents 1570 permit-
14 holders and the 2% assessment is where we get the majority
15 portion of our \$3,000,000 budget. Last year when the FRED
16 (ph) Division threatened to shut the Tutka (ph) hatchery,
17 they sort of forced the Cook Inlet Aquaculture Association
18 into taking over Trail Lake's hatchery. So we have a
19 hatchery at Glutna (ph) and the one a Trail Lakes. Trail
20 Lakes has had a very successful one-year operation under
21 Cook Inlet, but of course it increased our budget by a
22 considerable amount. We have investigated the Glacier Bay
23 spill and, of course, several of the Cook Inlet fishermen
23 have put in claims on that. We have found out that the oil
25 company is not liable under the compensation for any taxes

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1 or assessments. So if any fishermen get any taxes -- or
2 get any amelioration from that spill, none of that is
3 obligated to be paid to Cook Inlet. So we are concerned
4 because most of Cook Inlet has been closed. And we are
5 saying that we will not be getting our 2% assessments under
6 which we operate. And we are concerned that no provision
7 is made in the law or in.....

8 MR. SUND: Has Exxon said they will not pay the
9 assessment?

10 MS. BRENSON (ph): I don't think that -- no we haven't
11 -- as far as I know Cook Inlet Aquaculture has not gone to
12 Exxon at this time. But our attorneys have advised us that
13 that is not included in the settlements. I don't think
14 that they've actually done much negotiating with the Cook
15 Inlet people to pay the assess -- you know, what they're
16 gonna pay for the fish. And I don't know -- they are --
17 there're some set netters are fishing on the North
18 Forelands and I understand the East Forel -- or the West
19 Forelands. I don't know too much about that in the Kenai
20 Peninsula. But they are getting some closures in that
21 area, and they are doing a little bit of set-netting or -
22 - seining around Kamishak Bay (indiscernible), but very,
23 very little. Last year we had back-to-back \$100,000,000
23 season in Cook Inlet and I don't think we're gonna see that
25 this year. So we are concerned that we get our enhancement

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1 taxes. That's all I have to say.

2 MR. PARKER: If you don't get the tax what do you
3 operate the hatchery on?

4 MS. BRENSON (ph): We do a little bit of cost-
5 recovery, but out of that \$3,000,000 -- our budget for this
6 year is \$3,188,180 and the enhancement tax was \$3,057,000,
7 so we do a little cost-recovery but -- that's.....

8 MR. SUND: Mr. Chairman, I -- just note I spent a lota
9 time in my life drafting that legislation way back in '76
10 and '78, '79 -- the assessment legislation and the Supreme
11 Court fight, and helped all these aquaculture associations
12 get started, and -- to tell you the truth I hadn't even
13 thought about the assessment problem until you brought it
14 up right now. But it's very easy to calculate it -- you
15 know, the run -- the runs are gonna be known and -- when
16 this year's over -- and the values are gonna be calculable
17 because you're gonna have to settle up with the fishermen
18 anyway, so -- the number's not gonna be hard to figure out,
19 but I hadn't even thought about the concept of not being
20 able to collect it. Immediately comes to mind that I think
21 there's room in the mini-cabinet money that they're
22 expending there that could go out to this. If it's
23 classified as a tax, then it should be assessable on that
23 side. If it's not, it should be collectable from Exxon.
25 But -- yeah, that's a tough one, I mean, it's a issue where

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1 the fishermen have voted themselves -- voted to assess
2 themselves. It is only a tax because of the structure of
3 the Constitution.

4 MS. BRENSON (ph): Right. And it comes through the
5 State.

6 MR. SUND: Well, we had to do it that way because it
7 was the only way we could run it through. But it's just
8 basically a pass-through through State government. It's
9 (indiscernible).

10 MS. HAYES: I'd like you to put on your other hat.

11 MS. BRENSON (ph): Okay.

12 MS. HAYES: And -- did you -- I'm sorry, I didn't
13 understand properly. Did you say that VECO employees were
14 being hired through your office, or through.....

15 MS. BRENSON (ph): Yes, as a matter of fact, when VECO
16 first came down here about 10 days to two weeks after the
17 spill, they called and said did I know anyplace where they
18 could have an office. And I said, yes, I've got two little
19 rooms and I'll let you have 'em until you can find an
20 office. Well, I thought this would be two or three days,
21 it ended up it was about two or three weeks because the
22 telephone company didn't have any telephones. And
23 apparently couldn't ship them out from Anchorage or
23 anywhere. So anyhow, I had all of VECO -- it was the only
25 telephone that they had for their entire operation. And it

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1 was a madhouse because I wouldn't let 'em in our office and
2 -- they were -- but they did bring everybody through our
3 office and --.....

4 MS. HAYES: And are they still doing that now?

5 MS. BRENSON (ph): Well, they have their own personnel
6 office and they have people. We register them before they
7 go down there, and -- but we don't spend near as much time
8 at it as we did. Fortunately, Seward didn't get the
9 national publicity that Valdez did, and so we don't get
10 near that many people.

11 MS. HAYES: And so now this is the question that
12 everybody has been wanting to know. Where did the \$16.67
13 an hour come from?

14 MS. BRENSON (ph): I have no idea. That is just --
15 what they started out in Valdez and -- I don't know whether
16 it's tied to something they do on the Slope or what.

17 MR. PARKER: It came from the VECO agreement -- VECO's
18 union. That's why they hired VECO, 'cause they were union
19 and that was the last negotiated wage in the VECO -- in the
20 VECO contract.

21 UNIDENTIFIED SPEAKER: I understood that that was a
22 prearranged -- through the pipeline agreement.

23 MR. PARKER: Probably, yeah.

23 MS. BRENSON (ph): I think it's tied to what they get
25 on the pipe -- on the North Slope, because VECO works for

/clf

1 the oil companies up there.

2 MR. PARKER: Exactly, yeah. That's where it was
3 negotiated.

4 MS. BRENSON (ph): And -- you know, I would say that
5 our relationships with VECO are very good here, but they're
6 about the most inefficient operation I've ever seen in my
7 whole life. They're way behind on their bills and -- I
8 guess they're pay -- I think they're meeting their payrolls
9 pretty regularly because we don't get too many complaints,
10 but -- we'll see.

11 MR. SUND: I don't think VECO has anything in its
12 history that shows it knows how to clean up oil.

13 MS. BRENSON (ph): Well, I think the logistics of this
14 whole thing have been such a shock to everybody that
15 they're just -- they were completely unaware of how to do
16 it. They'd have people on the beaches and -- with their
17 rags, which -- to a housewife is the most ridiculous thing
18 I've ever heard of is wiping up a beach with a rag.

19 MS. HAYES: I think a vacuum cleaner would work
20 better.

21 MS. BRENSON (ph): Right. And then they didn't have
22 anything to put the rags in. I mean, it just -- I mean,
23 the logistics have taken two months to get in order, and -
23 - they have flat done practically no hiring in the last
25 month. They have been saying that they were gonna hire 400

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1 people next week, since about the first of June, and -- the
2 reason that they haven't hired 'em is because they have
3 nowhere to house them, and they don't know where the
4 housing is and -- I alerted them to a boat that would hold
5 35 people plus four staterooms, and they lost the spec
6 sheet. And I had to give it to them again, and, you know,
7 and I don't know whether they ever contacted these people
8 or not. So my faith in their operation is..... Tim.

9 MR. WALLIS: Thank you. It's my understanding that
10 over 200 people has been laid off in the last 10 days.
11 Does your department know anything about that?

12 MS. BRENSON (ph): I don't know that they -- it's not
13 the last 10 days, they have -- VECO itself has terminated
14 198 over the period since they've been keeping a record.
15 But they have 131 on standby, and you might -- you know,
16 and those people are not working.

17 MR. WALLIS: There was an article in the -- appeared
18 in the paper on the out-of-State hire. Are you familiar
19 with that in regard to those that haven't received a
20 dividend check and VECO saying that's not a fair way to
21 establish whether the person is a resident or not?

22 MS. BRENSON (ph): Well, I know that that's a news
23 release that was put out by (indiscernible) commissioner,
23 and all I can say is that since you could be an Alaska
25 resident in 30 days, not having your permanent fund

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1 dividend doesn't make you a bad person.

2 MR. WALLIS: So, it's -- do you agree with VECO that's
3 not a fair assessment then?

4 MS. BRENSON (ph): No, I don't think it should be.

5 MR. SUND: Why are these people being laid-off or not
6 hired?

7 MS. BRENSON (ph): I don't think they have any work
8 for 'em. I mean, they -- they're not putting anybody
9 (indiscernible - simultaneous talking).

10 MR. SUND: Well, we've just been here all day here
11 listening that there's work to be done.

12 MS. BRENSON (ph): Right. Oh yes, there's work to be
13 done but they don't have any housing for 'em out in the
14 Bay.

15 MR. SUND: Well, we were in Cordova and they're laying
16 off boats that could be housing people.

17 MS. BRENSON (ph): Yeah. I don't know. I did --
18 that's what I started to say, I don't understand their
19 operation.

20 MR. SUND: It all kind of points to a general shutdown
21 -- is where this whole thing get -- points at.

22 MR. PARKER: Any other questions for Margaret? No.
23 Thank you, Margaret.

23 MS. BRENSON (ph): (Indiscernible - simultaneous
25 talking) admire you. I've never seen a Commission that

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1 could sit so long.

2 (Laughter, applause)

3 MR. PARKER: (Indiscernible) the Board of Fish and
4 Game trains you well. Do we have someone else who wishes
5 to testify. The young lady in the back, and the.....

6 MS. BROWN: My name is Tina Brown. I live in St.
7 Louis, Missouri. I now know that was in the Lower '48, I
8 never heard of that before I came here. This is my first
9 time to Alaska. I called -- I called -- Department of
10 Natural Resources and Fish and Wildlife a couple weeks
11 after the spill and asked what I could do if I were to come
12 up this summer as a volun -- in the volunteer capacity,
13 assuming there would be a great deal of work for people who
14 weren't on the payroll at Exxon, that might go along and
15 help document what the change was in the wildlife or the
16 habitat. I've been studying conservation extinction and I
17 took a natural history course in the spring to be prepared.
18 I'm an artist and a writer so I thought I could document if
19 I could do nothing else. I went through a number of
20 procedures in -- through Anchorage and the volunteer
21 response center and -- it's intimidating -- arrived --
22 happy to work in the outer center. Started reading about
23 marine mammals and now know a whole lot about grooming
23 habits of otters that I never knew. My major point is
25 this. I got up here and I have found that the otter center

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1 is now at a point of near closing down. There's very
2 little work for us to do. There are many volunteers like
3 myself who left their work to come up here wanting to help,
4 wanting to be busy, wanting to be waking up and working
5 'til we were dropping. And there's -- it's not the -- it's
6 so well run, across the street, it's so incredibly
7 organized that you respect it and you just want to see it
8 function at high capacity. You hear about these areas that
9 are heavily oiled. You hear about tide bringing oil back
10 into areas. And yet we see no otters coming in. Maybe
11 those aren't areas where otters are, and so that addresses
12 another issue, that there should have been something we
13 could plug into if we got up here and the otter center was
14 at a low point. When I called I was willing to pick up
15 dead carcasses, I was willing to do a number of activities.
16 But to be useful. And there are a lot of people in my
17 state -- whom I talked to -- who did -- who either were
18 under the impression from Exxon's really successful PR
19 campaign that things are under control and moving along and
20 things are, you know, at -- reduced critical stage. And
21 when I told them I was coming up to clean up, oh really?
22 You know, what's there to be done. And so when I got up
23 here and I found out that -- tried to ascertain what was
23 the status of the cleanup and how was it being conducted
25 and what -- who was watching Exxon's activities, I became

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1 even more frustrated because not only did I find that there
2 wasn't a lot for me to do, as I thought there would be in
3 my role, but I started hearing conflicting reports about
4 inefficiency and -- there'd be oil reported and yet those
5 beaches weren't being addressed. I attended a MAC meeting
6 this morning. I heard about it talking to a -- I've been
7 checking on the different departments and the offices. And
8 the last couple weeks just tried to assess as much as I
9 could on my own. Outside the frustration that I hear from
10 a lot of the staff people who've seen the cycle at the
11 otter center. This morning I attend this meeting, and as
12 a taxpayer, and as someone who feels I have an obligation
13 to go back and report what is going on, what is the state
14 of affairs. Maybe Alaska is doing an outstanding job of
15 supervising Exxon and so if Exxon's not holding up we can
16 only hope that the State is, you know, making sure that
17 they are. I find the Coast Guard -- I keep asking, but who
18 has final authority. Who has the power to dictate what
19 plans are followed. And is this something Exxon is
20 determining themselves, how extensive the cleanup should
21 be. And I find out the Coast Guard is and I sit in on this
22 meeting and when I ask a question during the meeting about
23 the work order issue which came up, and it was clear that
23 they were gonna remove people from Morning Cove and put
25 them at another point without assurance that the equipment

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1 would be there. The man from Exxon said, well, we have the
2 best intention, and we have good intentions. And Coast
3 Guard totally sympathized with them and were very
4 supportive of that attitude. And then I was told that the
5 Coast Guard is the overseer. Well, I couldn't believe it.
6 I just, you know, I can't imagine such a -- it's a
7 quandary. I don't understand it. So I -- my -- I'm just
8 stating my concern and my experience as a volunteer is one
9 that many others have had. I've had a -- I've bunked in
10 the Army rec center with -- a lawyer from the EPA, with
11 three or four other PR people, with people in all kinds of
12 jobs who've come up here trying to find out what's going on
13 and to help. And it's been really frustrating for a lot of
14 us because there's not a lot for us to do. So there -- we
15 were all willing to do as much as we could. And we've
16 enjoyed the opportunity to contribute to the extent that
17 we've been able to but -- that's another issue you might
18 want to address. We would have been willing to fulfill
19 some of the gaps at no cost. So..... Also I've tried to
20 get out and see it. I thought, well, then I can just
21 document this as much as possible. And if VECO doesn't own
22 and hire all the boats that are available, you have to
23 spend nearly \$1,000 to get to the points that I'm told are
23 oiled. And even if the boat people themselves who've been
25 willing to take me on, they always come up against their

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1 supervisors, VECO and Exxon, and they won't let people on.
2 And you begin to wonder why they won't let anyone see these
3 areas. I've even offered to pay a liability rider for
4 insurance, if that was the concern. So I can't get out to
5 see it and it's very frustrating.

6 MR. PARKER: You bring up very important points which
7 we have heard from others. The role of the volunteers is
8 something that concerns many of us and one that we'll
9 certainly incorporate into our recommendations as we work
10 our way through this. I -- it is extremely frustrating and
11 it is a quandary to us at the moment, too, why some of
12 these things have happened the way they do. A quandary we
13 hope to work our way through if enough people keep talking
14 to us.

15 MR. SUND: It's hard to be a volunteer when the goal
16 of the system is to expend money.

17 MR. PARKER: Uh huh. Yeah. John is (indiscernible).

18 MR. SUND: But we've ran into it in Cordova and Valdez
19 and in Anchorage, that there is no organization or
20 organized ability to utilize volunteer services, which have
21 always been utilized in almost every disaster and every
22 emergency in the history of the United States. And so it's
23 -- it's a very difficult one to figure out, but, you know,
23 it may become that you gotta figure what everybody's
25 objectives are first. And then it might make sense.

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1 MS. BROWN: Well, I had to fill out a very -- I had to
2 rewrite my resume. I sent my standard resume. I rewrote
3 one -- I wanted to get into the remote areas and I was told
4 if I could kayak, bird-watch, encounter grizzly bears,
5 treat hypothermia, had extreme (indiscernible) skills, I
6 could get out there. So I started reading bird books and,
7 you know, it was -- there was opportunities. They had a
8 very organized response to a volunteer inquiry. And they
9 did allow our individual expertise to be outlined. And
10 that could have been utilized.

11 MR. SUND: Well, what we've heard is the volunteers in
12 the beginning, and there were a lot, say in Cordova, a
13 tremendous amount of volunteers, but as the system got
14 cranked up all the volunteers got shot out.

15 MS. BROWN: Yeah, well we've been told -- I mean, I've
16 seen them calling people and cancelling them across the
17 street, so.....

18 MR. PARKER: Well, you know it brings us, you know, to
19 a fundamental moral question. How much should a certain
20 segment of society profit from a disaster, you know it --
21 because they're obviously -- I think that's one of the
22 things that's creating a lot of the tensions in the whole
23 oil spill area. Is -- those tensions between those who are
23 profiting, in some cases beyond their wildest dreams, from
25 the disaster, and those others who have volunteered or have

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1 not profited for one reason or another. It's -- and it's
2 been, you know, an important development in this that's
3 going to need a lot of attention, not necessarily from this
4 Commission, which will give it some attention, but from -
5 - Mental Health and other people.

6 MS. BROWN: Well, more than the volunteer -- quandary,
7 I hope -- I've never seen anything like Alaska. I mean,
8 I've traveled all over Europe, I spent six weeks working
9 with an archaeologist in Greece last summer. I've never
10 seen anything like this landscape. And it should be
11 highly, you know, prized. And so, to not think that
12 there's a really strong, stringent overseer in this cleanup
13 is very alarming for someone who's seeing it for the first
14 time.

15 MR. PARKER: My colleague used to be the landlady for
16 Alaska and she -- Ed.

17 MR. WENK: Quick question. I'd like to follow up that
18 very last observation of yours, in terms of who's in
19 charge. And it's based on your comment a little bit
20 earlier about being at the MAC meeting. Being a little
21 surprised at what seemed to be a convergence in viewpoint
22 between the Coast Guard and Exxon. Now, I realize you only
23 saw a fragment of what's happened, 'cause MAC's been
23 operating a long time, and you would probably feel too that
25 it's hard to generalize from this. But, could you describe

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1 what you saw or heard a little bit more, that lead you to
2 that conclusion that given the fact that Exxon is expected
3 in our society to make a profit and the Coast Guard is
4 expected in our society to protect the public interest,
5 what was it you saw or heard that lead you to that
6 conclusion?

7 MS. BROWN: Well, there was just -- there was overall,
8 not with the gentleman, the representative sitting next to
9 me, but the two people that seemed to have authority, I
10 believe maybe one was at an Admiral level. When Exxon was
11 trying to describe the process of the work orders, which
12 seemed to be a major problem in logistics -- and they were
13 defend -- and this Amos Plant (ph) was defending the
14 logistics of paperwork going through Valdez. And the issue
15 was the deadlines that were on this timetable for beaches
16 that had to be cleaned up to meet these deadlines. He was
17 addressing the issue of moving teams from one beach to
18 another location and that that would be -- a credible move
19 if -- a new mechanical system, a hot- water rock washing
20 system arrived at Morning Cove, they could then move X
21 number of people to Aialik. The point was raised by
22 several of the people in the MAC group that, are you then
23 telling us that you will not move the people from Morning
23 Cove until the equipment arrives so that there's this match
25 in manpower. And the Exxon representative said that, no,

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1 that could not be a firm commitment because they were going
2 to -- had to move them irregardless. And both at that
3 point, and then I reiterated the question just because it
4 was a matter of disbelief. I couldn't believe he was
5 actually saying that right there to the MAC group. It
6 hadn't all settled in yet what was going on. The Coast
7 Guard supported -- kept trying to explain, you don't
8 understand -- kept trying to explain and support why Exxon
9 would do that, and that it was really okay. As if we
10 didn't understand the fact that the mechanical equipment
11 could cover -- it was the ability not to acknowledge that
12 they were not covering the deadlines. And when I asked
13 him, if you are telling us that you're gonna move them, and
14 you're telling us that the people won't be there, and
15 you're telling us that the equipment may not be there, how
16 can you then still say you will meet your deadline. And he
17 said that it was a good intention and that they had every
18 hope that it would happen. And once again, the Coast Guard
19 individual support -- so it was a consistent attitude. And
20 that was very -- I'm -- I'm ready to go home and write my
21 senators and -- I've worked for the DOT so I'm gonna call
22 them and -- I mean, I assume you all are gonna do what you
23 can, but I feel an obligation to find out how they can be
23 that way. I don't understand that. I know you've had a
25 long day. Thank you.

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1 (Applause)
2 MR. PARKER: Now, anyone else? (Indiscernible).
3 ANONYMOUS VECO EMPLOYEE: Is everybody still okay up
4 here. It's been a long day. Hi, I'm a VECO employee and
5 I'm gonna remain anonymous 'cause I -- I'm going to work
6 Monday back out on the bay. I've been in most of these
7 areas that you've been talking about. And I feel more or
8 less like answering questions that you might have about the
9 actual work force we have any -- otherwise I have -- just
10 have a few statements that I would like to make. I been in
11 -- I came through the VECO personnel office here. I moved
12 out of Fairbanks, for various reasons, but the employment
13 was here. I went to Valdez for two and a half days early-
14 on and decided if that's what it took to have this job I
15 didn't want it. So I came back around to Seward and was
16 hired on. I came, like a lot of other people, thinking
17 that I could do something on this spill. I also realized
18 that really the spill was over with after they lost control
19 of it initially. And I think everybody should focus their
20 main energy on that very idea. That we can talk and talk
21 in committee and committee, but the real energy on the
22 spill and the damage done should be focused on right after
23 it had spilled, as soon as possible. As out of control
23 that much crude is, the real focus should be on initial
25 cleanup. What we're doing out in the bays right now, and

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1 i've been both on beach crews and construction on living
2 quarters on the boats, is chaotic. There's no way that any
3 of these areas are gonna cleaned through this summer. Nor,
4 for that matter, do I think they're gonna be cleaned next
5 summer unless Mother Nature does a drastic turnover and
6 washes everything clean to where we just can't see it.
7 'Cause it's everywhere out there. From a working point of
8 view, I don't know what the exact numbers of employment
9 are. From early May I've seen a lot of people come and go.
10 Right now there seems to be a lot of people going down the
11 road, either through the urinalysis process flunking, or
12 just they've been on standby so long they can't stand to be
13 employed and not make any money. There's been a lot of
14 people on standby for a long time that have not worked.

15 I realize also that the logistics of trying to map out
16 the cleanup of an oil spill is unprecedented and it's not
17 a job that I would want, being up there in the high ranks
18 of management trying to deal the details out, you know.
19 Being out there working with all the heavy clothing on on
20 warm days, trying to clean it up on cold days when you
21 can't scratch it off a rock, and being out there on hot
22 days when it just bubbles out of the.....

23 (Off Record - Change of Tape)

23 (On Record - Tape Number 89-07-14/6A)

25 ANONYMOUS VECO EMPLOYEE:whatever fumes. We

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1 don't know what those were. They were brought back in
2 sick. A hot day they came out, they were working in globs
3 of crude and had no respirators. Again, I don't wanta push
4 button -- anybody's buttons on who is responsible. It's a
5 massive problem. Again, we gotta get back to the point of
6 -- if anything's gonna be done on these spills it's gotta
7 be done immediately. It's -- it's just -- the control
8 problem is just farther and farther and farther down the
9 line. Let me see, I was part of the group emergency hire
10 so that the numbers that I see in the papers I realize --
11 I really feel as an employee that the numbers have been
12 bloated and that they've pushed people -- employed people
13 in and pushed them out in order just to push those numbers
14 up. Just from the number of people that have been on
15 standby and who have never worked.

16 MR. PARKER: You don't think there's 10,000 out there.

17 ANONYMOUS VECO EMPLOYEE: No way. I mean, you know,
18 I haven't counted, but I know just from the operation out
19 of Seward, I've been in and out, in and out two or three
20 times and -- no way. Through this office. I would also
21 like to really make a point of how I feel VECO -- I don't
22 know whether to say Exxon in the next step after that. I
23 did not go -- have not been in through the Norcon union.
23 But I would like to reiterate how poorly I think VECO has
25 handled their -- all their employees. There's a real

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1 intimidation to keep your job. I also feel that they have
2 mis -- disinformed -- I think they've actively disinformed
3 people to keep them confused. And it's a very neurotic -
4 - it's the most neurotic job I've ever had. I've worked in
5 the oil field, I've run river outfitting businesses in my
6 past history. I don't wanta get into it, but I think this
7 is probably the most neurotic -- mismanaged job that I've
8 ever had. I would give my name right now if I felt clear-
9 headed and good enough about my job to -- to do that.

10 MR. PARKER: Part of the neurosis?

11 ANONYMOUS VECO EMPLOYEE: Absolutely.

12 MS. HAYES: Have you been instructed not to -- I mean
13 (indiscernible - simultaneous talking).

14 ANONYMOUS VECO EMPLOYEE: No. I found out about this
15 notice in yesterday's paper.

16 MS. HAYES: No, excuse me, I meant has VECO -- being
17 a VECO employee has there been coercion on you about
18 talking to the press or to other people?

19 ANONYMOUS VECO EMPLOYEE: No. Absolutely not. Well,
20 the only -- there's no coercion. They did make a policy
21 statement, like any company does, about, you know, publicly
22 getting together with other people -- I could show you the
23 statement. Everybody got them in their checks. Just a
23 company statement. Yeah. I'm sure that document can be
25 obtained by the Commission.

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1 MR. PARKER: Well, does it appear to you that the VECO
2 supervision has been trained to the particular manner you
3 describe, intimidation, etc.

4 ANONYMOUS VECO EMPLOYEE: I would say -- my opinion --
5 - I can't say for sure. My opinion, just being a worker
6 and being on the low end and viewing things from that, is
7 that they're passing on whatever Exxon tells them to do.
8 I don't know who to lay the blame on. The whole deal with
9 being on the bottom is everybody telling you, well, I'm
10 just covering my butt.

11 MR. SUND: Usually a corporate attitude starts at the
12 top and works its way down. It rarely goes the other
13 direction, so that the entire security conscious, closed-
14 door, guards at the gate of the oil industry has been
15 neurotic to me from the beginning. But -- why it's so
16 necessary to clean up oil on the beaches in Alaska I
17 haven't quite figured out this high degree of security or
18 disinformation or lack of information that the whole system
19 doesn't make sense.

20 ANONYMOUS VECO EMPLOYEE: You know, for the -- I know
21 -- I still think the logistics of trying to clean this up
22 is like a bygone joke. Everybody that works for VECO
23 thinks it's a joke. And the main statement when you get
23 hired is, don't worry you're getting paid well anyway.
25 It's a sad statement. I don't know, has there been any

/clf

1 VECO employees at this meeting today?

2 MR. PARKER: We had several former ones yesterday,
3 none that I know of today.

4 ANONYMOUS VECO EMPLOYEE: But no management no. Yeah,
5 well that's another statement from me. It's -- there is a
6 lot of procrastination and slow-down. There's -- it's a -
7 it's something that cannot be understood by somebody in my
8 position, just being a working person who's had the boots
9 on.

10 MR. SUND: Here -- you haven't gained a sense of
11 urgency that this job needs to get up into high gear and
12 get rolling.

13 ANONYMOUS VECO EMPLOYEE: None. None. And, in fact,
14 this -- you know, there's a whole lot of people that came
15 for the same reason I did, which was, let's go clean it up.
16 And it's -- you know, part of the neurosis and the
17 frustration is that there are good numbers of people out
18 there that want to do it that can't do it. All the numbers
19 that you see, you know, I would say, I don't know what the
20 percentage is, but there's a small number of people
21 actually on the beach cleaning up anything.

22 MR. SUND: Do you think very much of the beach cleanup
23 is very effective in getting oil off the beaches?

23 ANONYMOUS VECO EMPLOYEE: It's such a large problem I
25 think that -- you know. Sure if you had 10 numbers -- 10

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1 times the amount of people you might -- if it was proven
2 that the beach cleanup was what they wanted to do. In
3 other words, that the beaches would return to their natural
4 state faster by cleanup versus letting Mother Nature roll
5 over it, and/or microbiology. Whatever it is they decide
6 is the most effective way. Yes, they could do it if they
7 had 10,000 people actually on the beach. Not including all
8 the logistics and the boat and what it takes to put those
9 people on the beach. But, I've only seen what I think is
10 a small percentage of the coastline that's been hit and
11 it's beyond control. It's beyond, you know, the numbers
12 that they've got to work with. It can't happen.

13 MR. SUND: Thank you.

14 MR. PARKER: Any other questions. Thank you very
15 much.

16 ANONYMOUS VECO EMPLOYEE: Thank you for listening to
17 me.

18 MR. PARKER: I don't believe there is anyone else out
19 there who wishes to testify. I've seen no one. Why -- the
20 Oil Spill Commission will recess to Homer tomorrow morning
21 at nine, in what location? The Elks Hall. Okay. Thank
22 you all for coming.

23
23
25

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